

Jim Crow Cases and Laws - 1914

Springfield, Ill., Republican

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JIM CROW DECISION

LAW IS UNCONSTITUTIONAL

But Supreme Court Does Not So Decree
Because of Error in Presentation of Case.

LETTERS TO THE EDITOR

UNJUST TREATMENT OF NEGRO PASSENGERS

Editor Journal and Guide:—

Dear Sir: Saturday morning June 6, 1914, I left Asheville, N. C. at 7:10 a. m. on train No. 101 over the Southern Railway for Knoxville, Tenn.

The conductor who had charge of this train entered that part of the car assigned to people with a cigar in his mouth. He took a seat in the rear of the colored section and at his leisure smoked two cigars before the train reached Morristown, Tenn.

I understand that this is a usual thing for this conductor to do. There were a number of passengers, both men and women, in this part of that car at the time this conductor was smoking. This man would not dare smoke among white passengers and I protest against such imposition by an official of the Southern Railway with all my might. I have written to the president of the Southern protesting against such treatment. I am writing to you that we may use this definite case as a basis of our protest.

Use the facts I have stated in any way you think best. Must the colored patrons of this great railroad submit to such treatment from an official of that company who ought to see that we have equal and just treatment from all parties. If necessary, I will go before a notary public and swear to these facts.

Yours truly

F. M. KENNEDY

Maryville, Tenn.

MAKING HEADWAY IN THE SEP. ARATE COACH MATTER.

NEW ORLEANS, La.—To indicate some of the results of Railroad Day, as inaugurated by Dr. Booker T. Washington, of the Tuskegee Institute, Alabama, attention is called to a communication addressed by Mr. C. Marshall, superintendent of the Louisville & Nashville Railroad, New Orleans, La., to Messrs. Robert E. Jones and Walter L. Cohen, who represent the colored people of New Orleans in presenting their complaints to the railroad authorities located in New Orleans:

Gentlemen: In answer to your courteous communication of June 8, I beg to say:

1. A number of our coaches, practically all in the through train service, are equipped with two toilets and a small smoking room. Such of the coaches as are not so equipped will be altered as they are sent to the shops for overhauling.

2. Note foregoing.

3. The arrangement with regard to meals for our colored patrons, now in effect, seems to be satisfactory to them, which is to serve the meals in the dining car, after the white passengers; or, if requested, to send the meals to the coach or sleeper.

4. The cause of complaint relative to the transfer at Eastville on No. 4 has been remedied.

5. Our passenger department is carefully considering some methods of accommodations in the sleeping cars for the colored travel, but as yet I am unable to say what will be done in this respect.

6. We will endeavor to remedy the matter of the section hands being placed in coaches, or compartments, assigned to our colored patrons; in some cases, however,—emergencies—it can not be avoided.

7. I beg your patience until we can work out more fully these measures; I rely upon your believing that we earnestly desire to do every thing possible in this direction.

Yours very truly,

C. MARSHALL, Supt.

The spirit of the above letter shows that a great gain has been made as a result of presenting, in a manly, straightforward way, to the railroad authorities the complaints of the colored people of this section. Reports from other parts of the country are to the effect that the railroad authorities, in nearly every case, have listened with sympathetic interest to the petitions which have been presented to them.

TO ARGUE VALIDITY OF SEPARATE CAR LAW

Special to THE NEW YORK AGE

An argument touching upon the validity of the separate car law will be heard in the Court of Appeals one day next week, when the case of Joseph Jenkins, charged with violation of the law by refusing to occupy a seat assigned to colored peo-

ple comes up.

Jenkins was a passenger on a car of the Washington, Baltimore & Annapolis Railway. He was indicted in Baltimore City for alleged violation of the "Jim Crow" car law. Hawkins & McMechen, his attorneys, demurred to the indictment on the ground that it did not state between what points Jenkins was a passenger. Judge Elliott sustained the demurrer and the State filed an appeal.

In the case of Attorney William H. H. Hart of Washington, charged with violation of the law, the Court of Appeals ruled that a passenger traveling from a point without the State to a point within and vice versa, was exempt from the provisions of the law.

Failure in any way to comply with the project subjects the offender to a fine of not less than \$50 nor more than \$200.

Colored people are already threatening that they will boycott street cars in Baltimore should the measure become a law, declaring that the law is intended to humiliate the race.

Car Law Introduced

In Legislature

Should the Frick "Jim Crow" car bill be passed by the Democratic legislature and receive the sanction of Governor Goldsborough, a Republican, Baltimore will have separate cars for the races for the first time in forty years. The bill was favorably reported to the House of Delegates Wednesday, and was adopted by an unanimous vote.

It applies to railways in all parts of the States, thus taking in the smaller cities, none of which had cars in 1870.

The Frick bill is already arousing opposition, and plans for making a vigorous fight against its passage have been considered.

A meeting was held at the home of Dr. F. N. Cardozo, president of the local branch of the National Association for the Advancement of Colored People, Wednesday night, at which time plans for making a fight before the legislature were considered.

Should this fail the matter will be taken up with the Governor. W. Ashbie Hawkins was authorized to go to Annapolis in order to arrange for a hearing. Rev. W. M. Alexander, Rev. C. H. Steptoe, Rev. G. R. Waller, Prof. Mason A. Hawkins, John H. Murphy, George B. Murphy, Prof. D. O. W. Holmes and Dr. A. O.

Reid were among those present.

PROVISIONS OF BILL

The bill requires "all companies, corporations or persons" operating electric railways in the cities and towns of Maryland to provide separate accommodations for colored and white passengers. Either a section of a single car is to be provided for colored passengers or a separate car provided. Conductors and motormen are made special officers of the law in order that they may see that each race occupies the section aside for them.

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Colored people are already threatening that they will boycott street cars in Baltimore should the measure become a law, declaring that the law is intended to humiliate the race.

CONFERENCE YEAR CLOSES

Cambridge, Md., April 20th—

The conference year ended with unusual cheer at Waugh M. E. Church Sunday, March 29. Rev. S. S. Jolley delivered a brief sermon on "The Manifestation of the Spirit of God" Sunday morning. In the afternoon the pastor delivered the Palm Sunday sermon, because of the fact that he would be absent that day. At night the benevolent committee reported. The Magnolia Club had already reported \$50 for benevolence. Miss Mattie H. St. Clair reported \$50; Mrs. Eta Chase and Mrs. Lina Pinder, \$38.40; Mrs. Helen Waters and Miss Helen Eves, \$25; The Epworth League, \$25; and Miss Bessie Mollock, \$15.

Rev. W. H. Manokoo and his congregation were visitors to Waugh M. E. Church Sunday. Rev. O. D. Croxton preached the sermon.

On Friday night the members of the Happy Seven Social Club entertained at the home of J. C. Coleman. Among the guests were Misses Rebecca Camper, Lillian Coleman, Margie Smythe, Kathryn Cornish, Brice Coleman, M. Maddox, Thomas Miles, Shuloch Kiah.

INDICTMENTS AGAINST L. & N.

Special to THE GLOBE

Hopkinsville, Ky., June 17.—After deliberating for fifteen minutes, the jury in the Circuit Court here today found the Louisville and Nashville

Railroad guilty of discriminating in the matter of furnishing equal accommodations to colored passengers and fined that corporation \$500. The jury was composed entirely of white veniremen and the case was desperately fought by the counsel for the railroad.

Much excitement prevailed when Foreman Walker, one of the wealthiest farmers in Christian County, announced that the jury had found the railroad guilty as charged in the indictment, and it was with difficulty that the belliff restrained cheering, both from the section of the court room where the colored spectators were sitting and the section allotted to the white people.

In summing up for the railroad, Judge C. H. Bush attempted to prejudice the jury by declaring that the prosecution was an attempt on the part of colored men to ride in the coaches occupied by white women, but for once the usually efficacious trick of the lawyers fell flat.

Commonwealth Attorney Denny P. Smith, in his speech for the State, paid a brilliant tribute to the colored race, saying that it would be a crime for any corporation, individual or court of law to place a single straw in the way of a people who had done so much for themselves and so much for their country. He charged that Judge Bush did not believe what he would have the jury believe. "And," said he, addressing the counsel for the railroad, "you are advocating what you do not believe for the filthy fee that the railroads are paying you to secure for them the right to sell the colored man less than a white man receives for the same money. If there was ever such a thing as tainted money, I swear that the fee you receive for closing the door of hope to the colored citizens of the Commonwealth of Kentucky is what any self-respecting man should spurn. This suit against the railroad is to determine whether the black man has any rights that a white man is bound to respect. It is to determine whether three cents in the hands of a Negro has or has not the same value as it has in the hands of a white man—whether a merchant has a right to offer a colored man and force him to take a half a pound for the price of a pound, and for you, gentlemen of the jury, it is left to determine whether the Negro can secure even-handed justice in a court of law. I declare to you that this is the gravest consideration involved. You are all white men and unless you can forget for the moment that you are white men and place yourselves as the peers of this great and struggling race and do unto them as you would that they should do unto you, the courts of which you are a part will sink into impotent disgrace."

Judge J. T. Hanberry, who presided over the case, made his charge to the jury, a classic in fairness. "If," said he, "you find from the facts presented here that the white people have any

convenience, any accommodation of whatsoever nature that is not given to the colored passengers on the same train, you are to find the railroad company guilty. If you feel that you would want your wife or daughter to be forced to use a toilet room in common with the men; if you would want them to ride in overcrowded, unsanitary coaches, find them innocent."

The colored people of this city are in a high state of elation over their victory and the white people who interested themselves in the prosecution are equally jubilant. This is the first instance where a case involving the evils of the Jim Crow car has been successfully brought to a termination and it means that the colored people all over the South will receive better accommodations in transportation.

Phil H. Brown, the editor of The Saturday News and former assistant director of publicity of the Republican National Committee, is responsible for the inauguration of the movement. Mr. Brown has worked relentlessly in creating sentiment in favor of the contention of the colored people and in preparing the cases.

"There are honors enough to go 'round," said Mr. Brown. "Hopkinsville is the best town in the United States as regards the race question. We have the best white people to deal with and it isn't hard to convince them of the justice of a thing. Those brave race men who gave their time and energies to bring about this happy consummation deserve the credit for this signal vindication of the race. E. W. Glass, Peter Postell, Walter Robinson, Rev. E. Williams, Rev. Bayliss, Lionus McNairy, Ned Turner, C. W. Merriweather and a host of other brave colored men never slept on the job. Every white business man in Hopkinsville gave his moral support in the fight for our rights and we owe them our everlasting gratitude. And Denny Smith, God bless

It is possible that the finding of the court will be taken to the Court of Appeals, but the law is so clear that the colored people and the Commonwealth Attorney have not the slightest doubt that the verdict found today will be upheld.

Other cases against the L. & N. and T. C. Railroads will be tried at this term of court. The cases against the T. C. will be transferred to the United States Court, that railroad being in the hands of a receiver.

The Commonwealth Attorney employed a colored lawyer.

—NASHVILLE GLOBE.

R CONDITIONS FOR COLOR PEOPLE OVER RAILROADS.

It has been truly said by Longfellow that there is a tide in the affairs of men which taken at its flood leads on to fortune; omitted, all the voyage of their lives is bound in shallows and miseries. In other words there is in the career of every young man his maximum opportunity which will sure-

ly control his destiny. The same is true with nations or races.

Last week the Express called the attention of its readers to the great opportunity which is soon to present itself to us as colored people to bring about better conditions for ourselves when traveling over the railroads. Every one who has traveled only a little over the railroads of the South in particular, knows the inconveniences and displeasures with which every colored passenger, irrespective of his standing and responsibilities, must invariably meet. These disadvantages have been allowed to exist so long that the majority of our people accept them as conditions that cannot be changed and pursuing the theory that it is always wise to bow to the inevitable, we submit and go on rubbing the place that has been hurt and complaining only among ourselves. It is a fact that it is always wise to bow to the inevitable, but everything that appears to be the inevitable is not the inevitable. These are not conditions that cannot be changed, but they are conditions that will not be changed, until some party or parties become deeply enough interested to volunteer and take the matter up with the proper authorities. Now, upon whom do these responsibilities rest more heavily than upon the colored people themselves? Shall we sit back and wait for some large-hearted white man who has his own interest to care for, to dismiss his own affairs to secure these conditions and bring them around to us on a silver waiter? This is just what we have been doing. But the time has passed for that kind of thing.

Every man has his own interest to look after; and railroad men are not exceptions. They are trying to run their business with the least possible expenditures, as all other business men. They give the white riding public the accommodations they receive because the white people will not accept any other. And they give the colored people such accommodations as they think the colored people will accept. If we never make to those in authority any complaint, they will take it for granted that we are satisfied, and allow conditions to continue as they are.

Mr. Washington has taken the initiative in this matter, and his influence and earnest efforts have worked up quite a favorable sentiment among railroad men towards better conditions for colored people traveling over the railroads, and is calling upon the colored people for concert actions all over the country. Shall we lose the best opportunity that we have heretofore had for these desired changes or will we seize the 7th and 8th of June (Railroad Days) and lay our case properly before the railroad authorities? We may not secure all we want to begin with, but in this way we can show to all concerned that we are not satisfied with present conditions, and know that we are entitled to better; it will also clear

ay for victory later on.

mitted to at least one-third of the same."

SPOKANE BUSINESS MEN WRITE LETTER TO R. R.

Special to THE NEW YORK AGE
SPOKANE, Wash., June 16.—The Colored Men's Business League of Spokane, Wash., has just sent to the Trans-Continental Passenger Association, of Chicago, a letter with reference to traveling accommodations in the South reading as follows:

Spokane, Wash., June 5, 1914.
Trans-Continental Passenger Association, Chicago, Ill.

Gentlemen:

We, the members of the Colored Men's Business League of Spokane, having a deep and abiding interest in the welfare of the race desire to call your attention to the matter of better accommodations for the people of our race, who travel in those states in which the laws requiring separate coaches for colored people are operative.

We do not complain of conditions in our State, Washington, on the other hand we appreciate the excellent accommodations afforded here and heartily thank you for them them.

Please permit us to urge your honorable body to use its invaluable influence in improving the deplorable conditions complained of by Dr. Booker T. Washington in the November Century Magazine.

Respectfully submitted,
COLORED MEN'S BUSINESS LEAGUE,
By W. R. Martin.

Wm. Greene,

Committee.

NEGROES PROTEST AGAINST TRANSPORTATION COMPANY

Winchester, Va., October 22.—The Negroes of the Shenandoah valley are very much aroused over the treatment of some of the employees of the Shenandoah Valley Transportation Company.

It is alleged that colored people have been made to wait until the time for departure of the bus to see if any more white people would come and if they did the colored people were not allowed to ride.

A protest was made to Mr. George W. Mitchell, secretary and treasurer of the Company, at 61 Greenbush street, Pittsburgh, Pa., to which he replied disapproving the action of his employees in the following words:

"We wish to treat all who act as gentlemen and ladies as such, regardless of the kind of skin they bear. God made me with white and you dark skin. We neither had anything to do with it and I am not one to try in anyway to be little one who is not as fair as I am, and as long as there is room in the car your people are to be ad-

JIM-CROW CASE FAILURE

THUS THE CONGREGATIONALISTS STYLES THE OKLAHOMA JIM-CROW CAR LAW CASE DECISION WHICH LEAVES SOUTHERN STATES WITHOUT CHECK ON SEGREGATION LAWS, SAYS ROLFE COBLEIGH.

(The Congregationalist and Christian World, Boston, Mass., Dec. 10, 1914.)

There is encouragement but nothing more in the position taken by the United States Supreme Court with reference to the Oklahoma "Jim Crow" law permitting railroads to furnish sleeping, dining and chair car accommodations only to the white race. The majority of the court declared in the opinion read by Justice Hughes that the law is unconstitutional. Unfortunately this was an opinion only, while the entire court agreed in deciding that no action can be taken on this appeal because of a technical defect in the way the suit was brought. It seems that the Colored people who brought the suit did not show that they had applied to the railroads for accommodations under the law or that the railroads had notified them that they would refuse the accommodations. The effect of the decision is to leave this unjust and unconstitutional law undisturbed on the statute books of Oklahoma. But it should not remain undisturbed long.

Perhaps the Supreme Court is justified in treating this case as it has treated it, but long years continue to pass by with no check upon the legislation which Southern states have enacted and have succeeded in enforcing for the purpose of depriving Colored American citizens of rights guaranteed by the national constitution. Last year the Supreme Court destroyed all that was left of the Civil Rights act upon grounds which some of our most eminent lawyers and jurists have declared were unjustified in both law and equity, and some trivial defect or technical excuse has been found, which the Supreme Court permits to stand in the way of a definite decision establishing the constitutional rights of our Colored citizens anywhere. The rank injustice of Jim Crow laws in the South flourishes undisturbed. Other cases involving this principle of equal rights for all Americans are still pending and we hope that the highest judicial tribunal of our country will do its duty when the next opportunity comes.

Jim Crow Cases and Laws - 1914 THE QUESTION OF TRANSPORTATION "ROBBERY."

The Christian Recorder
Tallahassee, Fla.
Dr. R. R. Wright, Editor Christian Recorder, 631 Pine Street, Philadelphia, Pa.

My Dear Dr. Wright: It appears that you are striking a pace in editorials that is somewhat unusual.

I have just sent our Railroad Commission your editorial, entitled "Robbery," carbon copy of the letter that accompanied the enclosure as information is herewith enclosed. I feel that by constant appeal to reason in such matters we shall eventually get relief.

Trusting that you are in health, and with kindest regards, I am,

Yours truly,
N. B. YOUNG.

November 23, 1914.
State Railroad Commission, Tallahassee, Fla.

Gentlemen: I am herewith handing you enclosure simply as information, with the remark that the state of affairs herein described obtains in every detail with the railroads operating in Florida.

I am of the opinion that if the State Railroad Commission were advised as to the actual facts in the case, it would see that the railroads treated their colored passengers better in the matter of transportation, etc. I note that throughout the State the news butchers still keep their stores in that section of the Negro coach set aside for the women and non-smokers. It is true also that the through trains, especially north-bound, have only one toilet arrangement for both sexes, using for colored passengers a section of the baggage car, prepared, of course, for passengers, somewhat on compartment plan.

As indicated above, I am handing you this enclosure simply as information, in the hope that you may see your way clear to help us in this matter within the State, which I am sure you are willing to do.

Yours truly,
(Signed) N. B. YOUNG.

FOR BETTER R. R.
ACCOMMODATIONS

The Afro American
Dr. Booker Washington Suggests
Plan To Deal With Inferior
Railroad Accommodations

Dear Mr. Murphy:

I have sent to the colored newspapers of the country lately in two sections letters from railroad

officials in answer to letters which I had written to these railroad officials regarding the poor and unequal accommodations furnished colored people in many parts of the country. The interest of the railroad has been aroused in many ways, and they are beginning now to see that it is worth while to treat 10,000,000 people with consideration.

Now, let us follow up this whole matter by setting aside Sunday, June 7th and Monday, June 8th, to be known as Railroad Days. On one of these days or on some other day near these dates I want to suggest, with all the emphasis I can, that various groups of our people, through churches, secret societies, business leagues, woman's clubs and other agencies organize themselves in a way to go directly to the railroad authorities and put before them the difficulties under which we labor in cases where there is in existence unjust treatment. I would suggest that the committees that go to these railroad officials should not be large; two or three go, sensible people will accomplish more in making themselves felt than a dozen or two.

I do not attempt to advise in detail how to bring about better conditions; that matter can best be left to the people in each community and each state; they know what remedies ought to be brought about, but would urge in appointing these committees that the following objects be given attention; in their contact with the railroad officials, the committees should call their attention to these points wherever local conditions make it necessary:

- 1st. Proper accommodations in restaurants controlled by the railroads.
- 2nd. Proper accommodations in the way of sitting rooms in the depots controlled by the railroads.
- 3rd. Proper and just accommodations on street cars, steamboats and railroad trains.

I want to repeat, that in my opinion if this matter is taken up vigorously and the principal railroad officials approached and talked to directly and frankly a change will soon take place in every part of the country where conditions of public travel are not now what they

should be. If the committees are appointed on Saturday and Sunday the railroad officials could be approached on Monday, but the matter of the exact time is, of course not important; only we should keep in mind the idea of letting this movement be brought to a head on one day, or in one single week, so that the railroad officials may be impressed with the bigness of the occasion and the opportunity which is before them to increase their revenues by doing justice to nine or ten million of their patrons.

I wish especially to urge upon ministers and other leaders to give notice of Railroad Day several times during the next few weeks from their pulpits. I am equally anxious that the colored newspapers should call attention to this day from time to time. It is a matter of the greatest importance and I believe that hard work and concentrated effort will help to change present conditions very noticeably.

Yours very truly,
BOOKER T. WASHINGTON.

BOYCOTT OF SOUTHERN RAILROADS BY NEGROES Colored & Negroes ADVOCATED.

Ralph W. Tyler Advises Colored Men and Women of the South to Avoid "Traveling for Pleasure"—Accommodations Are Declared Menace to Health of Whites and Blacks Alike. According to Estimates the Boycott Would Mean \$12,000,000 Less in Revenue to Railroads.

A pacific boycott against Southern railroads that discriminate against the colored passenger—a boycott which, if the startling figures adduced be true, would cost the railroads in question not less than \$12,000,000 annually—is advocated by Ralph W. Tyler, national organizer of the National Business Men's League.

Mr. Tyler, whose home was formerly Columbus, and who has been active in Ohio politics for many years, is best remembered as auditor for the Navy Department under Presidents Roosevelt and Taft. He has just completed a three-months' trip through Southern States, and as the result of his first-hand observations has worked out the plan of boycott, which is being encouraged by the more prominent Negroes of Washington, D. C., and which is to receive nation-wide support.

"Boycott Is Legitimate."

"The boycott, used as I suggest," Mr. Tyler explained, "is a legitimate weapon. I, the wife of the Secretary of State and the wife of the Speaker of the House and the wives of other prominent government officials may inaugurate a boycott on eggs because the price fixed by the merchants seems to them inordinate, surely no violent criticism may be leveled at the colored people for peacefully boycotting those Southern railroads which furnish them accommodations that would not be tolerated by health boards in Northern cities. I do not hesitate to say that the accommodations supplied colored passengers by most of the Southern railroads are abominable, a disgrace to civilization. The coaches are filthy, toilet

rooms do not separate the sexes, and are so foul as to constitute a menace to the health of white and black passengers alike.

"In those Southern States through which I have recently traveled there are 6,500,000 colored men and more than 14,000 colored men are engaged in mercantile pursuits. I have gathered statistics and made certain calculations which show that during the last year the colored people averaged per capita \$2.73 for passenger fare over Southern railroads, a total of \$17,145,000 for the 6,500,000 colored persons in those States.

Protest Brought No Relief.

"The colored merchants in the States through which I traveled also paid \$48,000 for freight shipped over these roads during the last year. This would make a grand total of \$18,193,000 paid to Southern railroads by the Negroes in these Southern States—not all the Southern States, remember. In return for this sum of money they are given coaches to ride in which would be regarded as unfit for the transportation of cattle. The station waiting-room accommodations for colored travelers are even worse. Respectful protest has brought no relief and the peaceful boycott seems to be the only weapon at hand.

"The 'Jim Crow' laws of the Southern States in all instances specifically provide that the colored people shall be provided with separate coaches or compartments which shall be the equal in all points of comfort and convenience of the coaches furnished the whites. In every State through which I have traveled this provision is a hollow mockery. The colored coach or compartment is invariably next to the baggage car, where it catches all the smoke and cinders from the engine and where it acts as a buffer in event of a wreck. Usually the compartment is not large enough to accommodate the passengers, and frequently colored passengers, after paying full fare, are forced to stand throughout the entire duration of their journey.

Coaches Are Crowded.

"I have seen coaches for the colored people crowded to suffocation; have seen 100 people herded in a compartment which had seats for but half that number. No matter how well dressed or how cultured, no colored man can secure sleeping accommodations on a long, overnight ride. The colored patrons of Southern railroads pay the same fare for inferior accommodations that the white patrons pay for superior accommodations. As a consequence thousands of colored women have refused to use the railroads if they were to travel only when driven to it by necessity, the revenue derived by Southern railroads from colored passenger traffic could be reduced 70 per cent. It would cost the railroads approximately \$12,000,000 annually. If the temper of the people with whom I came in contact during my journey does not change this will be made an issue during the year 1914. The white people of the South are as deeply interested as the colored, for there is today no greater menace to the health of the Southern States than the waiting rooms and the railroad coaches assigned to colored travelers. Sooner or later the entire South must awake to the fact that these are the breeders of plague and contagion and that the price ultimately to be paid will be paid in the lives of blacks and whites alike."

THANKS RAILROADS FOR IMPROVEMENTS

FOR COLORED FOLKS

Constitution 5-3-14
The president of the State Federation of Colored Women's Clubs, Alice Dugger Cary, asks publication of the following:

"A few months ago you published a petition sent by our state federation to the railroad commission of Georgia asking for better accommodations. We received replies from several roads, and the majority were willing to make the improvements suggested.

"I am glad to say the Central has put on a whole steel car for colored passengers. We enjoyed such a coach this week, and take this method of thanking that road and any other that has this wonderful change.

"A car of all steel, electric fans, electric lights, window screens, clean, polite porter, stool at the steps, two lavatories, no partition, minus the newsbutcher occupying the double seat. Trains Nos. 1 and 10 carry these cars. They are beautiful and new. We feel very grateful. Respectfully,

"ALICE DUGGER CARY,
President State Federation Colored
Women's Clubs."

HUGHES ALSO WAS AFRAID

*The Amsterdam
Supreme Court Judge and New
York's Former Republican
Governor, With Associates
Wont Offend South Over
the Jim Crow Law*

ALL SAY IT IS INVALID

Ex-Executive of Empire State and Justice Holmes of Massachusetts, with Southern Members of Nation's High Tribunal, Offer Weak Excuse in Dismissing Petition by Oklahoma Colored Attorney.

Washington, Dec. 1.—Since a decision was handed down on Monday by the majority of the members of the United States Supreme Court, which was read by Justice Chas. E. Hughes, a Republican and former Governor of the State of New York, holding that the present Oklahoma Jim Crow Car Law was invalid, opinion seems to prevail strongly that Mr. Hughes, who has been spoken of for President on the Republican ticket in 1916, will not do. The high court's determination of the injunction brought by five leading colored citizens of the Southwestern State was not wholly unexpected. On the other hand, it was expected that a stand similar to the one taken by the judges, many of whom are rank Southerners, would be the outcome. The fact that a majority of the mem-

ers of the Supreme Court dismissed the petition because of alleged imperfections in it is thought to be nothing more than a plain dodge from the real question at issue. The Oklahoma colored people's case is not the first one in which Justice Hughes has had an opportunity to stand up manly for the rights of all citizens under the Constitution, regardless of color, such as he proclaimed when Governor of New York, but in this one, as in others, he has dodged behind a subterfuge, and many of the people here are anxious to know just what other members of the old Republican party think of Mr. Hughes' weakness.

The court says further that the permitting railroads to furnish sleeping, dining and chair car accommodations only to the white race was unconstitutional, but the justices did not so decree because of imperfections in the petition on which the case reached the courts.

The Oklahoma Federal Courts dismissed the petition, holding the law constitutional.

The majority of the court affirmed the dismissal because they had not shown they had applied to the railroad for accommodation under the law or that the railroads had informed them that they would be refused certain accommodations.

The majority, through Justice Hughes, said, however, that they could not agree with the lower court that the provision as to sleeping, dining and chair cars was constitutional.

A majority, consisting of Chief Justice White and Justices Holmes, Lamar and McReynolds, concurred merely in the order of affirmance, but expressed no views on the constitutional question.

In the opinion by the majority Justice Hughes said that previous decisions that laws for separate coaches for the two races was constitutional were not to be questioned. He then set forth the reasons for the opinion that the lower court was wrong in holding the proviso unconstitutional.

"The reasoning is," said he, "that there may not be enough persons of African descent seeking those accommodations to warrant the outlay in providing them. This argument, with respect to the value of the traffic, seems to be without merit.

"It makes the constitutional right depend on the number of persons who may be discriminated against, where as the essence of the constitutional right is that it is a personal one.

"Whether special facilities shall be provided may doubtless be conditioned on there being a reasonable demand therefor, but if facilities are provided a coach was cut in half to provide substantial equality of treatment to persons travelling under like conditions cannot be denied.

"It is the individual who is entitled to the equal protection of the laws, and if he is denied by a common carrier colored passengers stand while the conductor in the course of his journey under substantially the same conditions as furnished to another traveller, may properly complain that his substantial privileges have been invaded.

Railroad Accommodations
The Journal and Guide
In another column of this week

issue of The Journal and Guide President Dudley of the North "butchers" without taking up the Carolina Teachers' Association has limited accommodations provided a letter to which we earnestly desire to call the attention of our readers.

President Dudley strikes the key-note of the situation when he says that "it is not the policy of the railroads that disturbs us, it is the practice."

As Dr. Washington has so well established by his recent appeal to the executive officers of the most important railroads of the country, it is undoubtedly the "policy" of the railroads to comply with the law as to the separation of the races, but the fact remains that practically nothing is being done to carry out this policy. In a few cases, the roads are putting on better equipment in the way of steel cars, but the compartments for colored passengers are about the same in appointments and comforts.

Another fact that must not be overlooked is, that the heads of the railroads rarely ever inspect the accommodations provided for colored passengers.

We have never believed that the executive officers of Southern railroads knew definitely of the manner in which the separate car law is operated. The enforcement of the law is in the hands of subordinates, who have been glad to use it as a club with which to pelt the Negro over the head. The average train crew is more in sympathy with the spirit of the law, then interested

in the letter of the law. Once a law places the badge of inferiority upon a class of people it is not an easy matter to have that law enforced with justice and fairness to that class.

We had occasion a few days ago to make a trip through North Carolina on the Seaboard Air Line.

This is one of the best equipped railroads in the South. The colored passengers stand while the conductor occupied two seats and the conductor occupied two seats. A more considerate conductor would not, of course, have permitted this arrangement, but there are very few considerate conductors. We think

that the railroads should be made to provide facilities for the con-

venience of conductors and news

order of amrmance, but expressed no views on the constitutional question.

Not In Contempt of Congress.

The appeal of George G. Henry, a New York banker, from the decision of the New York courts, holding that he must return to Washington to answer to indictment for contempt of Congress, for refusing to give information to the "Money Trust" Investigating Committee, was dismissed. The Court held, however, that the constitutional questions involved, such as the power of Congress to compel persons to testify before committees, would not now be considered.

Prolonged litigation over conduit rights in New York city culminated today in a decision by the Supreme Court that the franchise of the New York Electric Lines Company to lay telegraph and telephone wires under ground had been legally repealed.

BOOKER'S JIM CROW PROTEST

The Journal and Guide

As Seen by a citizen of Color.

5-2-91

Booker T. Washington has a new scheme and like many of his plans it smacks of circumlocution. He has appealed to the Colored people to set aside June 7 and 8 to go to the railroad people and ask that the Colored

people be given better accomodation.

The Colored Passenger Just Fare

Jim Crow car laws exist in 11

states only, viz: Alabama, Arkansas

Florida, Georgia, Kentucky, Louisi

ana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia. In the

other states Colored people are treated just the same as other hu

man beings.

The Ridiculous Feature.

Mr. Washington asks the Colored people of the United States to go to the railroads and ask for better accomodations. Would it not be ridiculous for a Colored committee in Massachusetts or in Montana or in California to visit railroad officials and

complain about poor accomodations when such conditions do not exist?

Mr. Washington ought to speak out for the Pythians and Sir. W. H.

plainly and confine his operations to Greene, for the Knights of Gideon.

the 14 states where the Jim-crow con

ditions are in effect. I do not, how

ever, believe that it is the proper

thing to protest to the railroad offi

cials. If it is Mr. Washington's de-commission

sire that the Jim-crow laws be enfor

ed, the protest ought to be made to

the state legislatures which passed

the laws.

If there are, as he so often claims

so many "good friends" of the race

in the South, why not start a cam

paign for the repeal of the infamous

enactments?

That is what ought to be done, and

if Mr. Washington and his followers

had the proper conception of man

hood, that is what would be done.

Don't Object to Jim-Crow.

It looks as if Mr. Washington would be satisfied if the accomodations on common carriers were improved and made equal, but that is impossible. It is useless to expect equality with segregation for segregation in itself implies inferiority.

Now, Mr. Washington, if you really

think that Colored people ought to be treated exactly as other human beings are treated, you ought to make a fight against the principle of segregation in public places and on common carriers.

Until you do this, although the white people may load you with riches, although they may pat you on the back and call you the "greatest Negro", in their heart of hearts, they cannot and will not respect you or the people you claim to represent.

More indignities have been heaped upon the Colored people in recent years than ever before and it is largely because the Colored people of the South have not insisted upon exact equality in civil rights.

Stand up for principle, Mr. Washington and advise your people to always do so and you will have the real respect of all the people all the time.

MAKES APPEAL FOR BETTER RAILROAD ACCOMMODATION

The Journal and Guide
(Special to Journal and Guide)

Greensboro, N.C., October 28.—

Jim Crow car laws exist in 11 states only, viz: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia. In the before the state corporation commission to-day upon a plea for better railroad accomodations for colored citizens.

Mr. Washington asks the Colored people of the United States to go to the railroads and ask for better accomodations. Would it not be ridiculous for a Colored committee in Massachusetts or in Montana or in California to visit railroad officials and

complain about poor accomodations when such conditions do not exist?

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It looks as if Mr. Washington would be satisfied if the accomodations on common carriers were improved and made equal, but that is impossible. It is useless to expect equality with segregation for segregation in itself implies inferiority.

Now, Mr. Washington, if you really

"The Negro must learn that fundamentally it is not so important whether he has to ride in the Jim-Crow car as whether in that car there is a superior being, a man and not a beast."

By Booker T. Washington, at Brunswick Hotel, Nov., 1901.

Jim Crow Cases and Laws - 1914

NORFOLK, VA. LADY'S

OCT 3 01914

NEGROES COMPLAIN OF WOODEN CARS

Say They Are Made To Travel In Old Coaches While Whites Are Not

OTHER NEWS FROM TAR HEEL CAPITAL

Raleigh, N. C., Oct. 29.—A delegation of prominent negroes here in connection with the negro State fair, with President J. E. Dudley of the A. and M. College for negroes at Greensboro, called on the Corporation Commission today to make formal complaint as to the "Jim Crow" service that the railroad companies are furnishing negroes who travel.

Their principal complaint is that the railroad companies are using old wooden cars for the "Jim Crow" service and sandwiching them between the big steel coaches for the white people and the steel express and mail cars and powerful locomotives where, in case of wrecks, they are smashed and the lives and limbs of the negroes far more greatly imperiled than any others on the train.

They want an order requiring all steel or all wood trains and putting an end to the operation of wooden coaches in trains that are made up principally of steel coaches.

Issues Requisition

Governor Craig issued today a requisition on the Governor of Tennessee for A. W. Laughers, wanted in Yancey county on the charge of passing a worthless check on J. A. Hannum for \$694.24 by making affidavit that he had property in Green county Tenn., and an ample bank account with a Greenville bank in which the check was issued.

Charters Granted

A charter is issued for the Gastro. Ferries Company of Weldon for the operation of ferries across the Roanoke river from points in Halifax and Northampton counties near the old Seaboard Air Line station. The capital is \$10,000 authorized and \$5,000 subscribed by J. L. Camps and P. R. Camps, Franklin, Va., and W. E. Daniel, Weldon.

Commissioners Away

Commissioner W. A. Graham of the State Department of Agriculture has gone to Charlotte to attend the Meck-

lenburg fair.

Commissioner of Insurance James R. Young is this week attending the Presbyterian Synod in progress this week at Hickory.

JIM-CROW MILEAGE BOOKS

Not satisfied with "Jim Crow" cars, the Southern Railroad is now issuing "Jim Crow" mileage books. When a colored man buys an interchangeable mileage book from the Southern Railroad they punch out the word "Colored." What with "Jim Crow" cars, "Jim Crow" tickets, and "Jim Crow" drinking fountains, we will be having a certain part of the air walled off and marked: "For Colored." "Jim Crow" coats and "Jim Crow" hats, and "Jim Crow" shoes and "Jim Crow" streets, will no doubt come along in due season.

As Puck would say: "What Fools these (Southern) Mortals Be."

"RAILROAD DAY" ECHOES.

Some Results From Dr. Booker T. Washington's Efforts to Secure Better Accommodations For Colored People on Trains and Other Public Conveyances.

Reports received in this city indicate that "Railroad Day" observance, suggested and urged by Dr. Booker T. Washington, has not been in vain. It is too soon, however, to make up any definite estimate of the real benefits which colored people of the United States are to receive as a result of the combined protest of the race against the unspeakable, indefensible, and hateful engendering iniquities of the separate car laws, as at present enforced in the Southern States. But it is certain that much future good will result from the movement. Below are set down reports from a few of the cities which observed the day:

Washington, D. C.

While there was no general observance of "Railroad Day" in Washington, nor any committee appointed to wait on the railroads, a few colored ministers of the city preached on the subject of better accommodation for colored passengers.

Cadiz, Ky.

A committee was appointed to present the complaint of the colored people to the Louisville & Nashville and the Illinois Central railroads. A special resolution commending the president and officials of the Cadiz Railroad Company for its treatment of colored

passengers was also adopted.

Louisville, Ky.

Representative colored citizens called on the general passenger agents of Louisville and conferred with them relative to better railroad accommodations for colored passengers. The committee was very cordially received and a satisfactory and lengthy conference was held. The agents admitted that the discriminations do exist, but claimed that they are due to public sentiment and consequent legislation. However, the committee was told that some of the discriminations were contrary to the regulations and they were asked to report any violations of the rules so that steps may be taken to right matters. It was promised that the matter of providing meals and sleeping cars for colored passengers would be taken up with the different railroads, in the hope that

something can be done to better conditions. The matter of providing sleeping car accommodations seemed to be the difficult one to settle. The committee felt very much encouraged as a result of the conference.

Petersburg, Va.

A small committee met in the office of the colored Virginian and signed a protest against present railroad facilities for travel now given colored passengers in the South.

Spokane, Wash.

The Colored Men's Business League of Spokane addressed a letter to the Trans-Continental Passenger Association of Chicago urging the body to use its influence to improve the conditions complained of by Dr. Washington.

The league took occasion to thank the association for the fact that the conditions of travel complained of by colored passengers in the South do not obtain in the State of Washington.

Hattiesburg, Miss.

A committee adopted a "Bill of Complaints" and presented it to the superintendents of the Gulf and Ship Island and the Mississippi Central railroads. They mailed copies to the New Orleans & Northeastern and the New Orleans, Mobile & Chicago railroads.

The committee called on the officials of the first two railroads named, were cordially received, went over the complaints with the officers and were promised that conditions would be changed.

Jackson, Miss.

It is stated in Jackson that, as a result of "Railroad Day," negroes of the State are filing petitions with the

Railroad Commission, setting forth the contention that existing conditions of travel for colored people in the State are deplorable and protesting against discriminations practiced against their race on railroads.

Birmingham, Ala.

A large mass meeting of colored people met in the Metropolitan A. M. E. church of Birmingham on Sunday, June 7, under the auspices of the Birmingham Civic and Educational League to make protests against the iniquities made possible by the present separate car law of the South. After listening to strong addresses on the subject by a number of prominent colored citizens, letters were addressed to the nine railroads entering Birmingham, to the State Railroad Commission, and to the United States Interstate Commerce Commission, calling attention to the many discriminations which are made against negroes on public carriers, and asking for some remedy for the evils complained of.

New Orleans, La.

The most satisfactory reports thus far seen, however, have come from New Orleans, where the colored people, including their wide-awake chairman, Dr. Robt. E. Jones, editor of the Southwestern Christian Advocate, met in the Central Congregational church and issued an appeal to the public and the railroads urging better accommodations for colored passengers.

The Times-Picayune (white) devoted considerable space to a report of the meeting; and it showed that committees were appointed to consult the representatives of the twelve railroads entering New Orleans. The opening words of the appeal, according to the Times-Picayune, were: "It is a matter of no small significance that the negroes of the country under the leadership of the true and tried apostle of peace, Booker T. Washington, are gathered together today in their home towns and cities to invite national and local consideration of the public humiliation and injustice forced upon the race by the prevailing methods of operating the separate car laws."

DECISION OF SUPREME COURT GENERATING HOPE

Does it Mean a Halt in the U. S. Supreme Court's Legislation against Negro?

SEPARATE CAR LAWS VALID

But Justice Hughes Says the Constitutional Right Is Personal and not Dependent upon the Number of Persons Who May Be Discriminated Against

The Negro's Case
Special to THE NEW YORK TIMES

WASHINGTON, D. C., Dec. 9.—Sanguine students of the operations of the Supreme Court of the United States are trying to ferret out some hope for the Negro from the decisions recently handed down by the majority of that court, in Oklahoma "Jim Crow" case and the Alabama Contract Labor case. It is hoped that the decisions mean that in the minds of the majority of the court the time has come to call a halt in legislation against the Negro.

In the Jim Crow case, the majority of the court, led by Justice Hughes, held that the proviso of the Oklahoma Jim Crow law to the effect that sleeping, dining and chair cars might be furnished by the railroads to the white race alone, notwithstanding the general requirement of the law for separate coaches for the two races was in conflict with the fourteenth amendment to the Federal Constitution. In the Alabama Contract Labor case, the court following Justice Day held that the practice of planters becoming sureties for Negroes convicted of petty offenses and taxed with enormous costs on condition that the Negro contract to reimburse the surety by personal labor for unusually long terms under penalty of arrest for breaking the contract was nothing short of peonage.

No Hope of Annulling Separate Coach Laws.

It was recognized by those who regarded the decisions as little short of epoch-making that the opinion in the Oklahoma case perhaps forever removed all hope of annulling laws providing for separate coaches for the races. Justice Hughes in his opinion stated that the court agreed with the decision of the Eighth United States Circuit Court of Appeals, from which the case came, that previous decisions holding such laws valid if equal accommodations were provided for the two races, were no longer to be questioned. He referred principally to the decision in the Mississippi Jim Crow case.

The point of Justice Hughes' opinion is taken as being that the majority of the court believes the limit of constitutionality was reached in these previous decisions and that the court will not permit their scope to be enlarged.

Constitutional Right is Personal.

The limit in the case before the court, in the majority's opinion, was reached when Oklahoma, after requiring the railroads to furnish separate coaches and waiting rooms for whites and blacks, excused the railroads from furnishing sleeping cars, dining cars and chair cars for Negroes. The court had listened to

Attorney-General West, of Oklahoma, argue that the Negroes must show before the law could be held unconstitutional that their volume of travel was such as to justify the furnishing of the "luxury" facilities in question, and had heard him say that the railroads could not be required to furnish these special accommodations when the market did not demand such. It had heard the attorney for the railroads contend that the members of the Legislature were undoubtedly familiar with the character and extent of travel by Negroes and were of the opinion that there was no substantial demand for these facilities among those of the African race in the intrastate traffic of Oklahoma.

"It makes constitutional rights depend upon the number of persons who may be discriminated against, whereas the essence of the constitutional right is that it is a personal one," was Justice Hughes' reply to that argument.

New Case Necessary to Secure Decree.

Only the fact that the suit for the injunction against the railroads enforcing the law was brought prematurely so as to make it impossible to state in the petition for an injunction against the railroads enforcing the law that the railroads had denied sleeping, dining or chair car accommodations to the complaining Negroes while extending them to whites, including Indians and Mexicans, prevented the majority of the court from decreeing the proviso unconstitutional. Under the decision this is left to a case properly brought, and at that time must be decided whether the entire statute is so connected with the unconstitutional provision that the entire enactment is invalid.

Comment is heard on the personnel of the justices who joined merely in the decree of the court without saying anything as to the constitutionality of the law. These were Chief Justice White and Justices Lamar and McReynolds, all from Southern States, and Justice Holmes from Massachusetts. This left Justices McKenna, Day, Van Devanter and Pitney, at least all from Northern States, deciding with Justice Hughes that the proviso was unconstitutional.

R. R. OFFICIALS MAKE PROMISES

Important Conference Between
Southern Railway Official
and Committee of

*The American
Physicians*
11/14/14

New York, Nov. 12—As a result of a conference between the Transportation Committee of the Nation-

al Medical Association and representatives of the Southern railroads in the future. The meeting which was held at the local office of the Southern Railway, was the result of an exchange of letters between Dr. George E. Cannon, of Jersey City, chairman of the executive board of the National Medical Association and H. F. Carey, of Washington, general passenger agent of the Southern Railway.

Among the many things discussed were the indifference of ticket agents in accommodating colored patrons, the courtesy of conductors, brakemen and other employees to the colored travellers in dirty waiting rooms with inconvenient entrances and exits. The committee also condemned the poor car accommodation and the monopolizing of the coach set apart for colored people by newsboys, brakemen and conductors. The securing of meals and Pullman accommodations by colored patrons was also complained of.

In answering these complaints, Mr. Carey said that the President of the road had issued a special letter of instruction to all employees requesting them to be courteous to all passengers. He also said that the railroad was building stations as fast as funds would allow, and that in most cases, the colored patrons were well provided for. In reference to the poor car accommodations, Mr. Carey said, that the company was buying new cars and in them everything would be done to make the colored passengers comfortable.

"One of the most difficult problems of the road, is the Pullman Car and dining car question", said Mr. Carey. "The Company has appointed a special committee, of which I am a member and everything will be done to ameliorate the present unsatisfactory traveling conditions in this branch of the service in the South".

The various matters which came up for discussion were gone over in a frank manner by the members of the committee and Mr. Carey for the railroad officials in the same spirit assumed the committee of their willingness to consider anything brought before them in connection with improvement of the service.

The members of the committee

for the Medical Association were: Drs. George E. Cannon, of Jersey City; W. H. Higgins, Providence, R. I.; E. P. Roberts, of this city and W. G. Alexander, Orange, N. J.

INTRA-STATE JIM-CROW CAR

LAW UPHELD IN MD.

The Standard
FOR RAILROADS OPERATING IN
SOME OF THE STATE OF MARY-
LAND THE MARYLAND APPEL-
LATE COURT RULES THAT
THEY CAN SEGREGATE WHITE
AND COLORED PASSENGERS—
JAMES JENKINS THE HERO
WHO FOUGHT THE SEGREGA-
TION.

Annapolis, Md., Dec. 4, 1914—The Appellate Court of Maryland today upheld the validity of the "Jim Crow" law. The suit was brought by James Jenkins, who refused to comply with the provisions on a car of the Washington, Baltimore and Annapolis Electric railway.

An appeal from the ruling of the Criminal Court of Baltimore City was taken. The law in question gives railroads operating twenty miles or more from an incorporated city in the State the right to segregate white and Colored passengers.

The court's opinion, which was prepared by Chief Judge Boyd, only passed on the State provisions of the statute, as it does not affect interstate passenger traffic. Jenkins will now have to stand trial on the original indictment.

FREE PRESS

WILKES-BARRE, PA.

DEC 8 1914

DEMOCRATS SEE LIGHT.

The New York World has from the first been a staunch supporter of Woodrow Wilson, and what is more important, an intelligent supporter.

The trenchant criticism which this journal has lately visited upon a number of the administration's acts is therefore highly significant—all the more because this criticism is delivered in a spirit of independent conviction. We quote two of the more recent strictures, the first relating to the president's reactionary endorsement of negro segregation, the second to the withdrawal of the United States troops from Vera Cruz.

The World deeply regrets that the president upholds McAdoo and Burleson in their efforts to "carry their color-line theories into Democratic government." On the question of friction, it says:

For nearly half a century white clerks and negro clerks have worked side by side in the departments of Washington under Republican and under Democratic presidents. The World keeps itself fairly well informed about Washington affairs, but the first it ever heard of this alleged friction to which Mr. Wilson refers was when Mr. McAdoo began his Jim-Crow proceedings in the treasury department.

The president is wrong, the World continues, in thinking that this is not a political question:

Anything that is unjust, discriminating and un-American in government is certain to be a political question. Servants of the United States government are servants of the United States government, regardless of race or color. For several years a negro has been collector of internal revenue in New York. He never found it necessary to segregate the white employees of his department to prevent "friction"; yet he would have had quite as much right to do so as Mr. McAdoo had to segregate the negro employees of the treasury in Washington.

Whether the president thinks so or not, the segregation rule was promulgated as a deliberate discrimination against negro employees.

Worse still, it is a small, mean, petty discrimination, and Mr. Wilson ought to have set his heel upon this presumptuous Jim-Crow government the moment it was established. He ought to set his heel upon it now. It is a reproach to his administration and to the great political principles which he represents.

As to the withdrawal of our troops:

Sometimes questioning and doubting, the World has approved President Wilson's Mexican policy at every step because it hoped and believed that that policy was making powerfully for peace. Its strongest guarantee of peace was sincerity. Its next strongest guarantee of peace was the possession of Vera Cruz. After long months of watchful waiting we have abandoned our sincerity, and we have abandoned Vera Cruz without accomplishing one of our purposes. The flag has not been saluted. There is no assurance of peace. Except for our naval forces we are in no position to fulfil our engagements with foreign powers. Setting out to establish constitutional government in Mexico, we are leaving Mexico to its own resources at a time when its internal affairs are more chaotic than they were when we interfered with them. Have we served the Mexicans? Have we served ourselves? Have we served mankind?

The Free Press takes some satisfaction in this Democratic criticism because it is a mere repetition of that which it uttered months ago when the president first gave his silent consent to the anti-negro activity of his cabinet—which has borne such disastrous fruitage in the South—and when it became evident that

the Vera Cruz expedition was a half-cocked adventure, which the administration regretted before the first marine had set foot on Mexican soil.

It is a happy sign of an emancipated political era when a partisan press con-

fesses the abuses of its own partisan administration.

Lawyer Harrison Holds His Own.

Lawyer William Harrison, of Oklahoma, has concluded his argument before the United States Supreme Court

in re the Jim-Crow car case, brought up from the United Circuit Court of Oklahoma, to test the constitutionality of the separate coach law for interstate passengers. Mr. Harrison is being warmly praised for the cool and suave manner in which he stood up

under an apparent "grilling" at the hands of Chief Justice White, who wished to be sure that the plaintiffs had exhausted their rights in the lower courts before appealing to the Supreme Court of the United States.

Mr. Harrison proved to his satisfaction that this had been done and that the action was before the highest tribunal in the proper form.

THE OKLAHOMA CASE AND

THE U. S. COURT. 2-5-14

Some months ago a colored man who was refused accommodation in a Pullman car in Oklahoma brought suit in the United States Court to compel the Pullman car people to treat him with justice. The United States Circuit Court sitting in Kansas City has just rendered a decision in favor of the Pullman Car Company and against the colored man.

We urge that in the future Negroes refrain from taking such cases into the courts hastily; that they be sure they have a well-prepared case, that they get the best lawyers, and have the case so prepared that it will be practically impossible to meet with defeat in the higher courts. Every time a case of this kind is tried and the courts decide against us it is harmful in more ways than one.

We should not cease our efforts to take these cases to the courts, but be sure that we have the best lawyers and that the case has no loophole in it.

Now that the matter has started, we hope that Oklahoma Negroes will take the case to the United States Supreme Court.

Galveston, Tex.

NEWS.

DEC 8 1914

NEGROES WANT BETTER SERVICE

Farmers' Conference at Alexandria to Petition State for First-Class Rail- way Transportation.

Special to The News.

Alexandria, La., May 21.—At the session of the Negro Farmers' Conference, being held here, it was announced that a petition would be forwarded to the proper authorities for the betterment of railroad service given to negro travelers.

They state that they pay full fare and should be given first-class accommodations. The petition will state they do not desire social equality, but feel that when they pay first-class fare to the railroads they are entitled to that service. A petition is also to be sent to the governor to call a conference of the governors of states for the purpose of encouraging the "back to the farm" movement among negroes.

Jim Crow Cases and Laws - 1914.

AN APPEAL TO COLORED

TEACHERS OF N. CAROLINA

1914-18-14

Funds Needed for Promotion of Work of Teachers' Commission On Equal Passenger Accommodations On Railroads.

When the Tenth U. S. Cavalry was in the City of Washington in the month of January, be it said to the credit and honor of the colored residents over \$700.00 was raised to entertain the famous calvarymen one evening.

A few weeks later a mass meeting was called to protest against segregation of the colored clerks in some of the departments of the Federal Government. Prominent speakers, both white and colored, were present on this and subsequent occasions.

After the speaking, appeals were made to the audience for money to continue the fight against the humiliation and degradation of the Negro and be it said to the discredit and dishonor of the auditors less than \$300.00 was raised in the different gatherings held for that purpose. And that, too, in a city that boasts of more intelligence and culture among the members of the race than in any other city in the United States, and where the pay roll for the Negro alone amounts to over \$3,000,000 a year!

What is the cause of this seeming apathy and lack of interest in issues that affect the vital well-being of the race? To sum it up in a few words, it is primarily due to a lack of self-respect.

The North Carolina Teachers' Association at its last annual meeting appointed Professors James B. Dudley of Greensboro, and P. W. Moore, Elizabeth City, a Commission upon equal passenger accommodations on the railroad lines of this State. This commission carefully prepared, had printed and sent out over 3,000 pamphlets during the months of November, December and Janu-

ary, containing an appeal to the colored people of North Carolina.

In this appeal, as those of you who received and read it already know, the Commission explained their object, stated what they have done, what they plan to do and what they desired you to do, and what they hope to accomplish—of course, with your sympathy, cooperation and financial backing, without which their efforts would be fruitless.

Well how much headway has been made in this movement, since the circulation of these pamphlets? How much money has thus far been raised? Listen:

To my surprise, upon inquiry, I am informed by Professor Dudley that there hasn't been forwarded in response to the appeal enough money to pay for the printing of the pamphlets and for the postage necessary to mail them. Such a record is a discreditable commentary upon the manhood of every intelligent Negro in the State, to say the least.

There are not less than 50,000 professional men and women, (preachers, teachers, doctors, lawyers) well-to-do farmers and mechanics in North Carolina. Suppose one-half this number sent at least \$1.00 each, the minimum amount asked for by the Commission, they would then be enabled to begin to take steps to employ

able and skillful counsel to secure equal accommodations upon the public carriers in the State. We may complain in season and out of season; we may beg and implore as much as possible for fair treatment, but our appeals will fall upon deaf ears of the railroad authorities, in the future as they have in the past, unless some other influence is brought to bear.

How White Merchants Won Fight For Just Freight Rates.

The only thing that will make the most of them "come across" is the "mailed hand" of the law. But this cannot be effected without the sinews of war, namely, Money. As you doubtless know the white merchants of North Carolina by appealing to the Inter-State Commerce Commis-

sion recently won a victory in the rate case, wherein they had been discriminated against in favor of

Virginia for years, viz: being charged higher freight rates than the merchants of their sister State. The winning of this victory, it is said, will save to the merchants of the Old North State over \$2,000,000 a year in freight expenses. This victory never would have been accomplished had the law not been invoked; for the white merchants of the state had appealed to the railroad authorities time and again for just and fair treatment in this matter, but their appeals were unavailing.

View of Interstate Commerce Commission.

The position which the Interstate Commerce Commission takes regarding discrimination between the races in the accommodation furnished by the railroads may be seen in the following cases brought to their attention in the past: Heard vs. Georgia Railroad Company, decided February 15, 1888. The Commission held that,

"While the reasonableness of such regulation as the separation of white and colored passengers is not unlawful, it by no means follows that carriers may discriminate between white and colored passengers in the accommodations which they furnish to each.

How Discrimination Is Practiced.

If a railroad provides certain facilities and accommodations for first-class passengers of the white race, it is commanded by the law that like accommodations shall be provided for colored passengers of the same class. Failure to do this is discrimination and subjects the passengers to undue and unreasonable prejudice and disadvantage."

A Test Case.

In the month of June, 1907, Mrs. Georgia Edwards of Chattanooga, Tenn., brought suit against the Nashville, Chattanooga and St. Louis Railway Company, because she was made to ride in a car set apart for colored passengers, which she claimed was dirty, but was, also without such

conveniences as towels and washbowls, which the white passengers had.

The Commission's report, in part, in the foregoing case was: "It is ordered that the defendant, the N. C. and St. L. R. R. Co., be and it is hereby notified and required on or before the first day of October, 1907, to furnish and provide during a period of at least two years thereafter washbowls and towels and a separate smoking compartment on said railroad for colored passengers, paying first-class fare where the same accommodations are provided for white passengers paying first-class fare."

Recent Indictments.

Only last week the Associated Press carried the news that indictments were returned against the L. & N. and two other railroads by the grand jury in the U. S. Circuit Court in session at Hopkinsville, Ky. These indictments were brought by the colored people of Hopkinsville because of the discrimination in the quality of the cars and the service given to colored people in the separate transportation in that State.

A Question of Race-Wide Importance.

Are the Negroes in this State going to prove by their indifference and lack of interest that they possess less manhood, race loyalty and self-respect than their brethren in Kentucky? This is no personal matter. It is race-wide.

Every intelligent and thoughtful married colored man should ask himself whether he is satisfied with the dirty one-room closet for his wife and daughter's use on some of the railroads in this State. Or, if you are single, are you willing that the women of the race be subjected to such insult and humiliation? The standard of a race's civilization is measured largely by the respect which the men of that race show for their women.

Send Money to Dr. Dudley.

Are you satisfied with these unfair and illegal discriminations, made mention of in the appeal sent out by the Teachers' Passen-

ger Commission — one of which you doubtless received and read? If you are not, as you ought not to be, then, remit without delay \$1.00 at least, more if you can spare it, to Professor James B. Dudley, Greensboro, that action may be taken as soon as practicable to remedy these wrongs in operation against us as a race on the railroads in North Carolina.

There is no intention of graft in this movement. It is a matter of vital import and every dollar contributed will be honestly accounted for.

CHAS. H. MOORE.
Greensboro, N. C.

PLAIN TALK IN ALABAMA.

In adopting the "pay-as-you-enter" system on the surface cars of Birmingham, the company answered white complaints, that trouble might result because all race colors entered by the same gate, saying, "the Negroes are all standing back and allowing the white people to enter first." This statement very naturally riled Editor Adams of the Birmingham *Reporter*, who replied, in part, as follows:

Why should not the black man, who is paying the same fare as the white man, enter when he can and take a seat, as all street car passengers do? Black men are naturally polite. Most any of them would stand aside and let a lady of either race enter first. That cannot be said of all white men. Most white men act in public on the assumption that the Negro woman has no rights that they are bound to respect. They adopt that principle on the street cars, in the elevators, and even some of them carry it out in the offices and business places of Negroes.

But the greater unfairness is wrought, not to the rough element of Negroes that some seem to fear most. The average black man thinks as much of his wife as any white man does of his. We are sure that all will agree that is his right and privilege. The average black man is not going to stand back with his wife, or his sweetheart, and wait submissively for any number of white men to get on the car first, appropriate to themselves all the seats, and even move the partitions back so that the waiting Negroes on the outside will have to stand up all their distance. The white people themselves will not feel that this is right and the Birmingham Railway, Light and Power Company has no right to expect it.

That is plain talk in Alabama and you hear the same sort of talk in Virginia where, when colored and white occupy the same car the rule is "whites front; colored back," and the expectation is that the colored people shall wait patiently until the white ones enter and go front. If there are enough white persons to occupy all of the seats the colored people have to stand up or wait for another car. In the Norfolk, Hampton and Newport News district intelli-

gent colored people are beginning to show open contempt and disgust at the workings of the system and the mandatory insolence of the trainmen, who act toward and speak to colored patrons as if they were not people at all.

It is not a safe condition of affairs to allow to grow, as colored people of intelligence have as much sensitiveness as white people and think as much of their women folk, as the *Reporter* says.

But there seems to be no disposition among the white newspapers or the white people to correct the growing condition. Their attitude is, plainly, that "anything is good enough for colored people." That thing only is good enough for them, as for others, that represents in actual values the money they pay for it.

The separate car system is an outrage that will never grow to be any less so. The graded fare system, such as used to be in force in North Carolina, is the only just and honest system. By it the travellers regulated their own separation, by purchasing the class of ticket they desired, the better sort of both races buying first and the rougher sort second and even third class tickets. The effort to class all white folks as the salt of the earth and all colored people as the silt is having some queer developments; the commonest white man is fast

coming to regard himself as being just as good as the best white man, with the result that they are both being dragged down to the same level of coarseness and vulgarity in their manners, especially in public, while decent colored people are steadily drawing away from their coarse and vulgar members.

"The average black man thinks as much of his wife as the average white man does of his," says the Birmingham *Reporter*, but it will take a lot of years and education and rough experience to make the average white concede and respect the fact.

A Warning From Supreme Court. (From the South Carolina State.)

Although the Supreme Court of the United States dismissed the petition for injunction brought by Oklahoma Negroes to enjoin the railroads of the State from enforcing the "Jim Crow" statute, it did so on the technical grounds of defects in the petition itself and not on the merits of the case. But despite that fact, five members of the court concurred in the opinion that the section of the law forbidding the railroads to furnish Pullman, dining and chair car accommodations to any except members of the white race was unconstitutional. As the matter stands, therefore, an

other petition, properly brought, would be successful, and the question would then arise as to whether the unconstitutionality of the one section did not vitiate the entire law for the separation of the races on the trains.

In rendering such an opinion the court departs from its usual custom of contenting itself with the settlement of that part of the appeal primarily pertinent to its decision. That is, the finding of the unconstitutionality of the Pullman car provision is in a sense "obiter dictum" and not binding on the court itself as a precedent. But it will naturally have great weight, and it can not be denied that it has the look of the better law.

Whatever laws may appeal in the way of segregation of the races and in the control of the always puzzling problem of the two races live side by side in numbers, they should be treated with more consideration than is frequently given in the light of their possible conflict with the Constitution of the United States. We can not get away from the fact that the Negro is a citizen and, as such, entitled to equal rights and privileges under the laws. It was pointedly upon the theory that these rights were preserved to him in the "Jim Crow" statutes by the provision for separate but EQUAL accommodations that former similar enactments have passed the scrutiny of competent courts. Had this not already been determined before the Oklahoma case, the laws of practically all Southern States in this regard would now be thrown into confusion with the danger of returning to the almost unbearable conditions of local travel a generation ago.

As to Pullman cars, the question is one that holds nothing more than occasional annoyance. The average Negro is an economical traveler. He does not ride de luxe, and there are perfectly lawful and effective ways in which the company can discourage his patronage. No one has ever contended that it is possible to prohibit the Pullman to a Negro making an interstate journey, yet even in the North the Negro who is availing himself of the right is a rare sight. But if the Supreme Court of the United States is to embark on the practice of deciding matters not needful to the decision of the issue itself, as in Justice Holmes' recent remarks in returning a writ of error to Frank and in the present instance, the always delicate legislation touching on race questions should be even more gingerly handled in the present than in the past. The section of the Oklahoma law involved was nothing more than a plain invitation to the courts to dig it up by the roots. The South

home law involved was nothing more than a plain invitation to the courts to dig it up by the roots. The South the case. But despite that fact, five members of the court concurred in the opinion that the section of the law forbidding the railroads to furnish which saner legislative minds are working in the hope of lasting legal solutions.

Ask Equal Accommodations

The Journal and
The North Carolina Teachers' Passenger Commission, whose object is to secure equal passenger accommodations under the separate car law, believes that the best way to accomplish the end desired is to resort to civil action, and accordingly a formal complaint against two of the leading railroads that traverse the state has been laid before the State Corporation Commission.

The civil authorities were not approached, however, until the railroads had been appealed to earnestly and often to remedy the almost intolerable conditions that exist.

The Southern Railway and the Atlantic Coast Line Railway were named specifically in the complaint because these great systems are the most persistent violators of the separate car law. The Seaboard Air Line Railway has within recent months so improved its passenger service for colored people as to afford in a large measure the relief desired.

The work of the North Carolina Teachers' Passenger Commission is directed by Dr. James B. Dudley, who is president of the teachers association and chairman of the commission. Associated with him is Prof. P. W. Moore, as secretary. These able and sagacious leaders have secured the legal services of Hon. A. M. Scales, chairman of the North Carolina Constitution Commission and one of the most eminent white lawyers in the State.

Under such wise and conservative direction and skilful legal management the important reforms sought seem practically assured if the colored citizens of North Carolina manifest the proper interest in the cause and render to Dr. Dudley and the commission the necessary financial and moral support.

A splendid idea of the conditions which, the North Carolina Teachers' Passenger Commission is striving to improve is given in its annual report from which we quote:

"We went carefully over the situation as to railroad accommodations for Negro passengers. We noticed specifically where coaches were untidy, unfit for respectable persons, where both sexes of our race were frequently compelled to use the same toilet and in many

cases our best women were forced to use the same toilets which drunks find their most convenient place for drinking. The toilets sometimes were unlighted and totally unfit for use by any body. We have found lavatories for other passengers on trains, while Negroes, paying the same fare, had no such accommodations.

We have invariably found Negroes occupying the post of danger, with the most inferior coaches; frequently these coaches for Negroes would be preceded by steel coaches for baggage and followed by steel coaches for other passengers. We have carefully, dispassionately reported these discriminations to the railroad authorities and have remonstrated with them against these violations of the law. We think these remonstrances have somewhat helped; but for the most part, the discriminations remain and the Negro passengers are required to pay equal fare to other passengers, but do not get equal accommodations, nor do they receive equal protection of their lives."

It is unnecessary to enlarge upon the facts so well stated in the report. The conditions exist in violation of law. The railroads know that the conditions exist and that they are violating the law. The law was made for the railroads to obey as well as for the colored passengers of the railroads to abide by, and Corporation Commissions and Courts are made to compel railroads to obey the law. The outcome of the efforts being made by Dr. Dudley and his co-workers will be awaited with deep interest.

An illustration of what Negroes can accomplish by intelligent protest against unjust conditions is shown in the results following the recent campaign against dirty Jim Crowism upon southern railroads. The agitation was directed by Dr. Booker T. Washington, and was successful in many ways. Railroad officials have already ordered improvements in some cases and others are to follow. The next step will be for the leaders of our race to teach the rank and file how to appreciate these considerations by better conduct on trains and better preparations as to appearance and cleanliness before asking for better accommodations. Other people will respect us as we respect ourselves.

It is wholly unreasonable to take the position that the dominant race is not justified in some instances in asking for separate accommodations

for the races upon street and railroad cars. But our people can easily remove every such reason by a proper amount of pride in appearance, bodily cleanliness and quiet conduct. In this way the whole question can be solved and Jim Crowism will finally disappear instead of showing a disposition to grow. We must examine and correct our own faults while asking others to do so, otherwise we are unreasonable instead of the other people. The proper balance in every issue is that one should know his duties as well as his rights. Let the school, the press and

the pulpit unite in this teaching and the work will soon be accomplished.

SEPARATE SLEEPERS FOR BLACK AND WHITE

Columbia, S. C., July 1.—The state railroad commission this morning heard testimony from the Pullman company and railroads operating in the state at a hearing to show cause why they should not provide separate Pullman and sleeping cars for white persons and negroes.

The Pullman company and the railroads argued that such a requirement would be too great a financial burden in view of the small number of negro passengers. The hearing was the result of action taken by the railroad commission. A decision is expected within a few days.

WHY HONOR B. T. WASHINGTON

Because when Jim-Crow Cars started good, he publicly condoned them in the North. Because when disfranchising institutions started he condoned them in the north. Because now that street segregation is starting, he says, "Stop thinking about the part of the city you can't live in and beautify the part you can live in." A hard rap at the fight being made against it. That is why Colored people in northern states ought to herald him on a state tour. This is the time, when segregation still exists in the Bureau of Engraving.

"Railroad Day" was observed in some sections of the country. The reports of the day as sent out from Tuskegee show that in several communities the people met and appointed committees to bring the matter of better accommodations for colored people before the railroad officials. The Day was not as widely observed as it should have been, but that it was observed by some may mean a beginning of a movement from which great good may come. No doubt the matter will be kept before the people and a larger interest will eventually be aroused in the colored people in this important need.

Jim Crow Cases and Laws - 1914

RAILROAD DAY IN DIXIE

The New York News.

Colored Citizens of Arkansas Pre-
pared for General Protest
Against Barbarous Jim
Crow Car Conditions.

Little Rock, Ark., May 4.—The request of Dr. Booker T. Washington that a day in June be set apart by the colored people of this country as Railroad Day, on which day they will meet and appoint a committee to wait upon railroad officials petitioning for better railroad accommodations, strikes a most responsive chord in this section. People in this State regard the effort of Dr. Washington to secure better railroad accommodations for the race as one of the most beneficent acts of his life. In this section accommodations for colored people are becoming worse rather than better, and in most instances the accommodations are really abominable. Only last Wednesday many men and women were forced to stand up, after paying full fare, on the Cotton Belt Railroad returning to their homes from this city, where they had come to attend the funeral of Rev. Merchison in this city. They were only furnished a small compartment, a partitioned off portion of the white smoking coach. The colored people of the South are hopeful that their brothers in the North will follow the call of Dr. Washington and observe the day set as Railroad Day in an effort to assist those south of the Mason and Dixon line to secure the accommodations they pay for.

Strong as he was with the race in this section, Dr. Washington's efforts to secure proper railroad accommodations for his race in the South has made him all the stronger and popular. The colored people of the South appeal to their brothers in the North to co-operate with Dr. Washington for better railroad accommodations.

Passenger Accommodations

The Journal and Guide.
In another column we are publishing a letter from Prof. T. S. Cooper, of Sunbury, N. C., in which he sets forth his views on the subject of passenger accommodations for members of his race on the railroads. It is clear from Mr. Cooper's letter that he has failed to grasp the point in the fight that Dr. Dudley and others are making in behalf of the North Carolina Teachers Association, to secure for the race passenger accommodations that are safe, sanitary and suffi-

cient to meet the demands of Negro passenger traffic.

Notwithstanding the white people have had centuries of advantages over the colored people there are among them members of their race who stand in need of "hygienic education," and who have much the same short-comings as are attributed to members of the Negro race by Prof. Cooper, none of which are in our opinion relevant to the question of asking the railroads to comply with the laws governing railroad transportation.

There is neither much relevancy between the so-called "clean-up" campaigns in Virginia and the question of making railroad travel safe and sanitary in North Carolina.

Dr. Dudley, Dr. Washington and many other race leaders are urging the people to seek, as a matter of health, safety and justice, better passenger accommodations, and it may be of interest also to note what "Everything," one of the South's most influential Democratic papers has to say on the subject:

"We have had much discussion about freight rates; about train service here and train service there, but nothing has been done to give the colored man the accommodations he deserves on railroad trains."

"Because he is black, because he will take what he gets is no reason that laws of sanitation and laws of humanity should be ignored. The coaches run by some of the trains and filled with colored people need cleansing—fumigating; scouring—and to do this prevents disease."

"Naturally we would take it the first consideration would be comfort of our fellow beings—but cutting out the comfort, health demands cleanliness."

"Professor Dudley insists that the wooden coaches, often jammed in between the loco-

motive and baggage cars—any old thing to get the African inside, will not longer do. And it won't. The railroad companies must understand that these colored people have the same rights that the white people have. The accommodations for the colored man should be decent. As it is now, in hundreds of instances they are not decent. We are holding no card for any class—but the colored man has a kick coming. Society has a kick coming because some of these coaches are nothing in God's world but breeders of disease."

"Better let the railroad company charge a fair toll and be able to improve its service—at least to where humanity could ride in sanitary cars."

If Professor Cooper sees no virtue in the effort for better railroad accommodations, he might copy the "clean-up" idea as carried on in Virginia, and both movement working simultaneously in the Old North State may produce the happy result desired.

ASK FOR EQUAL ACCOMMODATION

Race Representatives of N. C.
Appeal to State Corporation
Commission

PRESENT STRONG PETITION

Setting Forth Danger and Disadvantages of Travel Under Present Condition

The Specialized Journal and Guide.
Raleigh, N. C., Nov. 2.—Under the auspices of the North Carolina Teachers Passenger Commission a group of twenty-five or more colored men, appeared before the State

Corporation Commission, last Thursday, in behalf of better railroad accommodation for members of the race, calling the attention of the commission to the fact that practically all the railroads in the State are violating the separate car law in the matter of equal accommodation for white and Negro passengers.

The committee, which presented the following petition was headed by Dr. James B. Dudley, president of the A. and M. College, of Greensboro, also president of the State Teachers' Association and chairman of the N. C. Teachers passenger commission, which is now conducting such a forceful campaign in behalf of better railroad fare.

PETITION PRESENTED.

"On the tenth of October, 1914, some of your petitioners left the city of Raleigh on the Southern train bound for Greensboro. While enroute, we narrowly escaped a wreck, by reason of the skill and promptness of the engineer. Had the train been wrecked to any significant extent, we verily believe the Negro passengers could not have escaped from an unreasonable part of the damages; for the coach in which the Negro passengers were forced to ride, was unequal in weight, strength and protection to the coach immediately following in which other passengers were riding.

"While we know that rear-end collisions sometimes occur and that lives some time in this way are lost, we believe that a person riding in the front end of the train incurs more risks than one riding elsewhere. The general practice of railroads to assign that portion of the train to us is not a subject of our complaint or criticism, but we do complain that we are not only assigned the most dangerous portion of the train, but we are forced to ride in the weakest coaches that make up the train. Because of this, some of us have lost friends and kinsmen in wrecks, while the other passengers in the same train, but in stronger coaches, were not damaged enough to need hospital attention. For this reason, your petitioners beg to assure you that the law guaranteeing to us equal accommodations in travel is not being observed and

law-abiding citizens we come to you, who we understand, is the

proper legal authority to remove these discriminations.

"We can appreciate the difficulty the railroads must experience in furnishing duplicate accommodations for the two races and for this reason we have always tried to maintain and to counsel a patient, forbearing spirit in the presence of unjust and dangerous discriminations.

"We also recognize that the difficulties are too frequently aggravated by the toughs and rowdies, many of them of our own race, and for this reason we pledge the eight and influence of our schools and churches to restrain, as far as possible the disorderly element that so often make their presence a nuisance on trains and around waiting rooms.

"Neither are we seeking to increase the operating expenses of any of the railroads. While we would like to enjoy the security afforded us by a steel coach or a steel floor-coach, we are simply asking that the roads be required in making up their trains to have all day coaches of equal strength, comfort and protection. We respectfully petition against being placed in wooden coaches of inferior strength to be sandwiched, as we are sometimes, between steel baggage coaches in front and steel floored or steel coaches immediately following. We therefore believe that our request is not only reasonable and within the limits allowed us by law, but are such that can be granted by the railroad companies without incurring additional expenses. We take pleasure in expressing appreciation for the efforts being shown as far as we can observe on the part of the Seaboard Air Line to give us just the accommodation we are seeking and which we have the right to expect under the law, on the Southern railroad, and the Atlantic Coast Line, and any other road in the State that makes the difference in the protection of the races noted in this plea."

THOSE WHO SPOKE.

The following, representing leading organizations among the Negroes in the State, spoke to the petition: Dr. C. S. Brown, of Winton, president of the Lott Carey Foreign Mission Baptist convention; Col. James Young, Odd

Fellows; Dr. R. B. McRary, of 2nd.—Proper accommodations in Lexington, Masons; Dr. A. W. the way of sitting rooms in the de- Peagues, Baptist State Conven- pots controlled by the railroads. 3rd.—Proper and just accommo- Methodists; Rev. James K. Satter- dations on street cars, steamboats white, Episcopalians: R. S. Alex- ander of Greensboro, Presbyterians.

Ask For Better Railroad Accom- dations On June 7th and 8th

The Journal & Guide

Editor Journal and Guide:—I have sent ~~the colored~~ newspapers of the country lately in two sections letters from railroad officials in answer to letters which I had written to these railroad officials regarding the poor and unequal accommodations furnished colored people in many parts of the country. The interest of the railroad people has been aroused in many ways and they are beginning now to see that it is worth while to treat 10,000,000 people with consideration.

Now, let us follow up this whole matter by setting aside Sunday, June 7th, and Monday June 8th, to be known as Railroad Days. On one of these days, or on some other day near these dates, I want to suggest

with all the emphasis I can, that various groups of our people, through churches, secret societies, business leagues, woman's club and other agencies organize themselves in a way to go directly to the railroad authorities and put before them the difficulties under which we labor in cases where there is in existence unjust treatment. I would suggest that the committee that go to these railroad officials should not be large; two or three good, sensible people will accomplish more in making themselves felt than a dozen or two.

I do not attempt to advise in detail how to bring about better conditions; that matter can best be left to the people in each community and each state; they know what the conditions are and know what remedies ought to be brought about, but I would urge in appointing these committees that the following subjects be given attention, in their contact with the railroad officials the committees should call their attention to these points wherever local conditions make it necessary:

1st.—Proper accommodations in restaurants controlled by the railroads.

wrongs ever perpetrated against any race in any age.

We denounced the Jim Crow when our "peerless leader" declared from rostrum and pulpit that "The Jim Crow Car was nothing we should mind, and that we needed to be gentlemen and not beasts in the Jim Crow Car."

We denounced the corporation that refused to furnish separate conveniences for men and women in the cattle cars and the "peerless one" and his cohorts and sympathizers promptly denounced us as aiming to put the white people of the South against the race, as though anyone or any act could goad the white people of the South to any new mode or form of devilment. The race has been persuaded and jollied into marking time while the brutal South has been industriously spreading its venomous prejudices to all parts of the country. Now that their work is done; now that our women are brutally insulted on every railroad in the South, and are being segregated and discriminated against in the most alarming fashion, since he, the "peerless one" bamboozled the men into giving up their ballot, he comes out in glaring headlines asking for a National protest.

I wish especially to urge upon, ministers and other leaders to give notice of Railroad Day several times during the next few weeks from their pulpits. I am equally anxious that the colored newspapers should call attention to this day from time to time. It is a matter of the greatest importance and I believe that hard work and concentrated effort will help to change present conditions very noticeably. Yours very truly,

BOOKER T. WASHINGTON.
Tuskegee Institute, Alabama

BOOKER WASHINGTON "WHIN-
The Guardian 6-7-14

The Guardian was established more than a dozen years ago for the purpose of protesting against the wrongs and injustices practiced against our race by the whites, and more especially to turn the light upon Colored men, who sought to profit at the expense of the rights and privileges, and the good name of the race.

For this needed service to the cause of justice and humanity this paper has suffered as probably no other race journal in the history of our country. The editor has been abused and scoffed at by the mercenary, the unthinking and the foolish. We have been denounced for our constant persistent, determined fight against those of our own race who were constantly striving to persuade the race to give up all of their civil and political rights for the privilege of working and earning a living, and we have been ridiculed as "Whining" when we have protested against the greatest and most humiliating

trains. This effort on the part of Dr. Washington is not as little as minds would make believe an effort to bring about social equality between the races. Nothing is farther removed from the mind of the originator of the suggestion than such. The movement has for its object one and only one purpose and that is an improvement of accommodations for our people on the common carriers. June 7th and 8th are not a great way off. The Tribune would like to see all of our churches, clubs, schools, business leagues and all other institutions for the good of our people engage in themselves in a city wide observance of Railroad Day at the designated time.

The attendant self-respect will of itself demand more consideration from the R. R. Companies.

Virginia, our sister state, is setting an example worthy of our emulation. If the N. C. Association of Colored Teachers should borrow the idea it would result in to a state-wide blessing. It would benefit the masses of our people who never use the R. R. lines at all. Write Prof. J. M. Gandy, State Normal School, Petersburg, Va. Inclose a stamp and he will give full information. April 26th, May 2nd, will be clean-up-week for the colored people of Virginia.

We are to remain in our dirt and wallow in swine-like ease, interrupted only with an occasional nudge in the side for an equal-accommodations dollar.

The professional men and women, farmers and mechanics of North Carolina, are discredited by an article in The Journal and Guide Association which meets at the for their indifference and lack of state's capital in June.

T. S. COOPER,
sent to Dr. James B. Dudley, o S
Greensboro, N. C., the \$1.00 each.

which the State Colored Teachers' Association empowered him to collect. To note that there will be a employ skilful counsel, to secure road Day" June 7th and 8th as equal passenger accommodations designated by our distinguished on the R. R. lines of the state. We justly deserve discredit, but not for that specific reason a given by a Greensboro correspondent.

We call this a premature and worthy movement. If a movement be out of the proper order it worth will not save it from ultimate failure. On a northern rail-road line, the manager told an aggrieved passenger, that he did not provide cattle cars for passengers but very often cattle rode in passenger cars. His statement ex-plains itself.

To ride on the cars in North Carolina is to come in contact with vast numbers of people who great ly stand in need of a hygienic education. Fruit parings, peanut a large part of his time on the

RACE ANTIPATHY SEEN IN BILL TO ARM CONDUCTORS

Representative Clark of Florida Would Empower Washington Street Car Conductors to Carry Fire Arms and Billies—"Crackers" Would Incite Trouble Is Opinion.

(Special to The Chicago Defender.)

Washington, D. C., July 17.—Representative Clark, of Florida, now comes forward with a bill to permit street car conductors in this city to carry revolvers and billies to protect themselves against obstreperous passengers. Of course, this bill is aimed at the race and the object of giving street car conductors police powers, and right to carry fire arms and billies is to make it easy for them to beat up Afro-American passengers on the slightest provocation. The "cracker" street car conductors here, if thus empowered, would make separate cars unnecessary for the reason they could billie or shoot Afro-Americans attempting to board cars, and then say that it was to preserve order or in self-defense. Men of the race, if the bill became a law, would take to the street cars, feeling that "cracker" conductors would incite trouble just to get an opportunity to display their police powers and their weapons of defense.

Jim Crow Cases and Laws - 1914

Truth of The Matter The Voice of the COLORED PEOPLE IMPOSED UPON IN CARS SET ASIDE FOR THEM.

Birmingham

There is a separate coach law in the State of Alabama. The same law affects Birmingham and applies to travel on street cars. The object of this law is, we presume, to forego as far as possible occasions on public carriers for racial contact to become an irritant, and thus produce unfavorable results for both races. The merits or demerits of the law we shall not discuss. Suffice it to say that there is a separate coach law regularly enacted and placed on the statute books in Alabama. The negroes had nothing to do with making this law, and whether it works a hardship or not is not their lookout. It is theirs as a law-abiding citizen to obey the law, and we have heard no complaint that the Negroes even show any disposition to ride in the car or that part of the car assigned to white people.

White men made this law and they, least of all, can afford to violate it. It was made, doubtless, for the good of all, which should be the purpose of every law. If it is a good law it should be properly enforced. If it is not a good law it should be repealed. But as long as it is not repealed white people and negroes should ride separately and each one's rights under the law should be regarded.

But the separate car law as it is carried out on some of the street car lines in Birmingham is a farce and a miserable affliction to colored people. The colored people do not protest against separate cars. Probably under the peculiar conditions existing in the South such separation is best. At any rate the colored people accept it and the vast majority of them prefer this separation — especially the better class.

But what the colored people do object to is the imposition they suffer on many occasions. For the most part, the space allotted to them is too small for the travel, and when the space allotted to whites is filled the artificial dividing line, indicated by a little portable sign, is pushed forward almost to the door, while many colored people are standing up in a miserably packed crowd. When the partition is more substantial or permanent the colored people are crowded from the platform by those who be-

long in the other end of the car. On some cars that carry a trailer marked "For colored passengers," when the front car is filled the colored women and men are huddled into one end of the trailer marked "for colored passengers," and the other end is filled with white men. These men, regardless of the presence of many of the best colored women, use a part of the car marked "For colored passengers" as a smoker. The conductors are often appealed to in vain by colored women and men to have the smoking stopped. It is bad enough to be jammed and crowded out of the space assigned you, but to have colored women imposed upon in such way is miserable and a condition that should not be indifferently considered nor passed over without an honorable and manly protest.

All who know colored people know they are patient and long-suffering. In most instances they are reasonable. They do not want to complain unnecessarily. They are willing to the separation. They are willing even to be crowded. They are willing to have the law enforced. They are willing and ready not to interfere with the street car companies in an honest effort to provide for comfortable travel for their passengers. A proof of all this is that the colored people stay in their car or their end of the car, such as the case may be.

A part of the trouble and inconvenience often arises from the attitude of the conductor. The clothing of many young, inexperienced and often prejudiced boys with police power is a venturesome and serious thing. To give such large discretionary powers to untrained, and sometimes careless persons, to say the least, is hazardous. Some conductors in Birmingham are courteous, accommodating and respectful to all passengers, white and colored, while others are to the opposite, and are careless as to offending colored passengers.

Who is to blame that the separate car law is a farce and a miserable inconvenience for colored people? That is the question.

The colored people should be treated with justice. How can the white man expect the negro to be law-abiding unless he (the white) teaches him to be so by example? If the white man would teach the negro to be honest let him be honest with the negro. If he would teach the negro to be truthful, let him be truthful with the negro in all his dealings. If he would teach the negro to be obedient to the laws, let the white man obey scrupu-

lously the laws which he himself requested the conductor to have the smoking stopped. The conductor refused to do so.

Whoever is at fault in the miserable execution of the street car law in Birmingham should be corrected.

If the street car conductors are at fault the street car companies should remedy the condition. If the street car management is at fault the commissioners should correct the management and compel a change. If the fault is with the lawless part of a travelling public the officers of the law should do their duty. If the officers will not do their duty the law-abiding citizens should select a new set of officers. If the public generally disregards the law then that law should be repealed and not stand before the people as a monumental lie to what the people believe in.

The chief sufferers of the miserable imposition resulting from the violation of this separate coach law are the colored women. Respectable colored men respect the women of their race just as the respectable white man respects the women of his race. The colored man may not always be in position to enter his protest according to his outraged feelings, but he feels it just the same.

No man should be more proud to see colored men respect their own women than the white man.

It is a safeguard for our civilization that manhood respects and reveres womanhood. It means a wall of defense for womanhood, white and colored. It means emphasizing the bedrock upon which the superstructure of our civilization rests—womanhood.

The negro people call upon the commissioners, the officers of the law, the street car management and every law-abiding citizen to use their influence to make the separate coach law separate and rid the colored people of the imposition and insults put upon them by a disregard of the law or to have the law repealed, as being one impossible of operation.

A case in point: Tuesday evening, March 24, on the North Bessemer B. R. L. and P. Co's line, the car that leaves Birmingham at 6 o'clock had the front car full of white people. The trailers marked "For colored passengers" was divided so that white men sat in the front part, while the back end was jammed with colored women and men. There was no partition in the car. The passengers in the front end used the car for a smoker. Among the passengers were two reputable colored women—both women of culture—one the wife of a prominent tax-paying colored citizen of standing and education. This wom-

Office of Chairman of Executive Board,
354 Pacific Ave., Jersey City, N. J.
October 21, 1914.

Mr. H. F. Carey,
Gen. Pass. Agt., So. R. R.,
Washington, D. C.

Dear Sir:

I wish to acknowledge receipt of your very courteous letter of September 16, in reply to the complaints I made relative to the passenger service rendered colored passengers on your road. I am pleased to know that you appreciate your colored patronage, and wish to say that if given the usual comforts of travel there would be a great increase in the colored patronage.

Our National Medical Association has met for the past five years in the South, in cities on your roads, and I would like very much to have our transportation committee confer with you on the matter of better passenger accommodations in the same spirit in which my first letter was written. I hope you will find it convenient to grant us such an audience, as I feel that such a conference would be beneficial to both sides. Should you grant this request kindly make the date after November 15, so I can notify the three other members.

Yours truly,
GEO. E. CANNON.

(COPY.)

SOUTHERN RAILWAY COMPANY,
Office of the Passenger Traffic Department,
1300 Pennsylvania Ave.
Washington, D. C.
Oct. 26, 1914. C. V.
S-31605.

Complaint: George E. Cannon,
M. D.,
Dr. George E. Cannon,
354 Pacific Ave.,
Jersey City, N. J.

Dear Sir:
Your letter of October 21 has attention on my return today after an absence.

I hardly think it necessary for you and members of your committee to go to the expense of coming to Washington for an interview, particularly in view of the fact that I now expect to be in New York Thursday, November 5, and will be glad to see you that morning at the office of Mr. A. S. Thweatt, eastern passenger agent of this company, No. 264 Fifth avenue. If that will be agreeable, will you kindly let Mr. Thweatt know, in reply to this, and he will let me know. Mr. Thweatt will likewise let me know at an early date the exact hour of the meeting.

Yours truly,
H. F. CAREY,
Gen. Pass. Agent.
Cy-Mr. A. S. Thweatt.

Dr. Cannon, on receipt of this letter, put himself in communication with Mr. Thweatt, who informed him that the conference was set for 10:30 o'clock, on the morning of November 5. The medical association will be represented in the meeting by Dr. W. G. Alexander of Orange, N. J., general secretary: Dr.

DOCTORS TO MEET WITH SOUTHERN RY. OFFICIAL

Dr. G. E. Cannon of Jersey City Continues Crusade for Decent Railroad Fare

The New York Age
COMMITTEE TO MEET G.P.A.
11/6/14

Passenger Agent Carey to Confer with Transportation Committee of National Medical Association on Thursday, November 5, in Railroad's N. Y. Office.

Special to THE NEW YORK AGE.

JERSEY CITY, N. J., Nov. 4.—Following up recent correspondence had with H. F. Carey, general passenger agent of the Southern Railway, concerning accommodations afforded the Negro patrons traveling on that road, which correspondence was published in THE AGE October 1, Dr. George E. Cannon, 354 Pacific avenue, chairman of the executive board of the National Medical Association, has called to the attention of Mr. Carey the fact that the medical association has been meeting for five years in cities in the South which are reached by the Southern Railway, making a request that that official confer with the transportation committee of the medical association with a view to furnishing better traveling accommodations.

To Meet in New York Nov. 5.

To this request General Passenger Agent Carey has very promptly replied, arranging to meet the committee in New York on Thursday, November 5, at an hour to be arranged by Alex S. Thweatt, eastern passenger agent of the company, at whose office, 264 Fifth avenue, the conference will be held. The following are the letters:

(COPY.)
NATIONAL MEDICAL ASSOCIATION.

E. P. Roberts of New York, Dr. W. H. Higgins of Providence, R. I., and Dr. Cannon.

SEABOARD WILL PROVIDE EQUAL ACCOMMODATION

Substitutes All Steel Equipment
For Wooden Coaches Formerly Used For Negroes

(Special to The Journal and Guide)

Greensboro, N. C., August 4th—President James B. Dudley of the North Carolina Teachers' Passenger Commission has issued the following statement relative to recent action by the Seaboard Air Line Railway: "The Seaboard Air Line Railway has quite generally given very excellent service to its Negro patrons. Possibly on no important line has there been less cause for complaint than upon this line, and for this reason its colored patrons have found it pleasanter to travel over this line. The colored people of North Carolina will more than ever be encouraged to use the Seaboard Air Line Railway when they learn that First Assistant Lennon has written Jas. B. Dudley, Chairman of the North Carolina Teachers' Passenger Commission, that the Seaboard Air Line Railway has recently ordered additional all steel equipment and says that when it is received we will have no trains in which wooden coaches will be run between steel cars. This is one of the most important improvements that can be made effecting Negro travel. Now let the Negro passengers who are enjoying these considerations from the Seaboard Air Line Railway every one join in showing his appreciation by helping in the waiting rooms and in the Negro apartments to see that cleanliness and decency are observed at all times. We trust the other roads will follow the splendid example set by the Seaboard Air Line Railway."

MARYLAND'S JIM CROW LAW UPHELD BY COURT

(Special to THE NEW YORK AGE.) The validity of Maryland's Jim Crow car law was upheld by the Court of Appeals in an opinion handed down by the Court of Appeals last Friday. The

opinion was in the case of James Jenkins, who was arrested sometime ago for refusing to take a seat assigned him by a conductor on one of the cars of the Washington, Baltimore and Annapolis Railway.

Mr. Jenkins was subsequently indicted by the grand jury of Baltimore city. His counsel, W. Ashbie Hawkins and George W. F. McMechen, demurred to the indictment, Judge Elliot, sitting in the Criminal Court, sustained their view. The State, however, took an appeal from the decision.

It is improbable that Mr. Jenkins will ever be tried for violating the Jim Crow car law, which only applies to traffic wholly within the State.

RAILROAD COMMISSION HEARS COMPLAINTS

Columbia, S. C., July 6.—The State Railroad Commission heard testimony last Wednesday from the Pullman Company and railroads operating in the State as to the reason separate Pullman and sleeping cars were not provided for white and colored passengers. The Pullman company and the railroads contend that such an arrangement would entail a great financial burden, as comparatively few colored people desired to avail themselves of the Pullman service.

DR. CANNON MAKES COMPLAINT TO SO. RY.
Special to THE NEW YORK AGE.
JERSEY CITY, N. J., Sept. 30.—Dr. George E. Cannon, 354 Pacific Avenue, recently made a trip through a section of the South, in company with his family, en route to the session of the National Medical Association at Raleigh, N. C. Finding that the Jim Crow system entailed injustice and inconvenience upon the colored passengers, and finding the railroad companies indifferent to the welfare of that class of patrons, Dr. Cannon took up the matter by correspondence with H. F. Carey, general passenger agent of the Southern Railway, Washington, D. C.

The following is the correspondence which passed:

(COPY)
George E. Cannon, M. D.,
354 Pacific Avenue,
Jersey City, N. J.
September 12, 1914.
Mr. H. F. Carey,
Gen. Pass. Agent, Southern R. R.
Washington, D. C.

Dear Sir:

As a patron of your road, I wish to call your attention to a condition of passenger accommodation which I feel should be brought to the attention of the officials of your company, as I believe it is the policy of a great corporation like yours to be mindful of the comfort of its patrons. I was born in the South; have many relatives there, and business interests which

necessitate my patronizing your road. I feel it my duty to lay the discomforts and inconveniences of my last trip before you. I left here with my wife and two children (four fares), August 13 for Chattanooga, via Bristol, with Pullman accommodations.

We left Chattanooga at 10:20 p. m. August 22 for Greensboro, N. C. Being refused Pullman accommodations, we were ushered into the "colored car," which consisted of a small section of a coach partitioned off, with three regulation seats on each side and one at the end—seats for fourteen passengers. There was also a small smoking room.

The car was dirty, and over twenty passengers packed into this little space, filling the seats and aisle. Men, women and children, thus packed and jammed, rode all night to Asheville. There was only one toilet for both men and women—very embarrassing to the women. The larger section of the coach was used by the white passengers for a smoker.

At Asheville, we waited two hours for connection to Greensboro. When we went into the station, we found the toilets for colored men and women too filthy to use, and lacking in the ordinary equipment. We left Asheville at 9:10 a. m. for Greensboro, in a coach, half baggage car and half for colored people. While this car was not as comfortable as it should have been, it was a little better than the previous one, as it had separate toilets for men and women, and was not filled with smoke from the "white smoker."

We left Greensboro for Raleigh at 4:40 a. m. August 24. On this train, an entire coach was set apart for colored people. It was clean and the seats were comfortable. This coach had a partition about one-third back from one end, with a small smoking room within the smaller section. The larger section of this coach afforded room and comfort to the women and children, while the men who felt like it, lounged in the smaller section. Besides, this coach contained the usual comforts of the standard coaches.

At Raleigh, we joined a party of physicians and ladies, at the close of our National Medical Convention, and returned over the Seaboard, on a special car.

During my trips over your road, I have found the colored waiting rooms unclean, as a rule; the colored section of the coach dirty; no effort made to see that all colored passengers have seats; colored passengers not allowed to get on train in front of station platform and walk through the train to their section, but must walk off small platforms along the track and scramble on the train as best they can. There was no evidence of forethought for the comfort of colored passengers. Your road is extensively patronized by colored people, and the placing of an entire coach at their disposal would greatly lessen their burden of travel.

I have stated to you the actual inconveniences and discomforts—even impositions which a large class of your patrons are daily subjected to, not in a spirit of malice, but with the hope that more favorable consideration will be given colored passengers.

While not conceding the justice of the laws that now govern passenger traffic on your road, I realize that the

railroad's only choice is to obey the law. At the same time, it is within the power of the railroad officials to remedy the evils I have complained of. And in behalf of a race, whose burdens are already too heavy, I appeal to your spirit of fairness to provide the usual comforts of travel for your colored passengers, who deal with you on a fair business basis, by paying you full fare for their transportation.

Yours truly,
(Signed) GEO. E. CANNON.

(COPY)
Southern Railway Company,
Office of the Passenger Traffic
Department,
1300 Pennsylvania Avenue,
Washington, D. C.
September 16, 1914. A-W.
S-31695.

Complaint: George E. Cannon, M. D.
Dr. Geo. E. Cannon,
354 Pacific Avenue,
Jersey City, N. J.

Dear Sir:

Acknowledging receipt of your favor of the 12th instant.

We are very sorry to note that you feel you have cause for complaint and we desire to assure you that we fully appreciate our colored patronage. This is a matter which we have endeavored to give close and careful attention, as we certainly want to do everything possible for the comfort and convenience of all our patrons.

We thank you for your letter and will take pleasure in bringing the particular occurrences referred to therein to the attention of the proper officer in charge for the improvement of the service.

Yours truly,
(Signed) H. F. CAREY,
General Passenger Agent.

Philadelphia, Pa.

1 December 1914 U. S. SUPREME COURT DECIDES "JIM CROW" LAW IS INVALID

Oklahoma Statute Barring Colored Travelers From Pullman Cars Set Aside by Highest Tribunal.

WASHINGTON, Nov. 30.—A majority of the Supreme Court today joined in an opinion that the Oklahoma "Jim Crow" law proviso permitting railroads to furnish sleeping, dining and chair car accommodations only to the white race was unconstitutional.

Washington, October 26.—The validity of the "Jim Crow" law in Oklahoma hangs on the outcome of oral argument today before the supreme court. William Harrison, for the negroes of the state, and S. T. Bledsoe came to Washington to argue the constitutionality of the law.

In addition to the usual "Jim Crow" requirements of separate cars and waiting rooms for the white and negro races, the Oklahoma statutes permit the railroads to use chair cars, sleeping cars and dining cars exclusively for one race. The railroads contend

courts.

The case was one in which five negroes, contending that the entire law was unconstitutional, sought an injunction to restrain five railroads in Oklahoma from enforcing it. The Oklahoma Federal Courts dismissed the petition, holding the law constitutional. The majority of the court affirmed the dismissal today, because the negroes had not shown they had applied to the railroads for accommodation under the law, or that the railroads had notified them that they would be refused certain accommodations. The majority, through Justice Hughes, stated, however, that they could not agree with the lower court that the proviso as to sleeping, dining and chair cars was constitutional. A minority, consisting of Chief Justice White and Justices Holmes, Lamar and McReynolds, concurred merely in the order of affirmance, but expressed no views on the constitutional question.

In the opinion by the majority, Justice Hughes stated that previous decisions that laws for separate coaches for the two races was constitutional were not to be questioned. He then set forth the reasons for the opinion that the lower court was wrong in holding the proviso constitutional.

"The reasoning is," said he, "that there may not be enough persons of African descent seeking these accommodations to warrant the outlay in providing them. This argument with respect to the value of the traffic seems to be without merit. It makes the constitutional right depend upon the number of persons who may be discriminated against, whereas the essence of the constitutional right is that it is a personal one. Whether or not special facilities shall be provided may, doubtless, be conditioned upon there being a reasonable demand therefor; but if facilities are provided substantial equality of treatment of persons traveling under like conditions cannot be denied. It is the individual who is entitled to the equal protection of the laws, and if he is denied by a common carrier acting in the matter under the authority of the State facilities or conveniences in the course of his journey under substantially the same conditions as furnished to another traveler, he may properly complain that his substantial privileges have been invaded."

The Justice then pointed out that defects in the petition presented an insuperable obstacle to the granting of the injunction.

The court gave no intimation as to whether in a proper case it would merely hold the "luxury" car section unconstitutional, or whether it would decide that this section be unconstitutional, the entire law must fall. The five railroads in the case asked the court when the case was argued to hold the entire law unconstitutional if the "luxury" proviso was annulled.

"JIM CROW" CAR LAW BEFORE U. S. HIGH COURT

Washington, October 26.—The validity of the "Jim Crow" law in Oklahoma hangs on the outcome of oral argument today before the supreme court. William Harrison, for the negroes of the state, and S. T. Bledsoe came to Washington to argue the constitutionality of the law.

In addition to the usual "Jim Crow" requirements of separate cars and waiting rooms for the white and negro races, the Oklahoma statutes permit the railroads to use chair cars, sleeping cars and dining cars exclusively for one race. The railroads contend

Jim-Crow Cases and Laws - 1914

THERE IS STILL HOPE.

The general trend of the opinions of the Supreme Court of the United States, as they affect human rights, which involve the liberty, freedom and manhood of the Negro, has been decidedly against equal opportunities before the law.

The Supreme Court in a long line of decisions, or refusals to make decisions, has held that no federal question was involved every time the question of the Negro's rights has been presented to it. Invariably, upon some technicality, the Supreme Court has found a way to get around passing upon the merits of the question of human rights, every time the question was presented in the interest of the Negro race. Lawyer after lawyer have raised this constitutional question, involving our right to vote, our right to equal accommodation on the railroads and on other public utilities; our right to enjoy with other men, the privileges and immunities vouchsafed under the constitution and its amendments. But on each and every occasion the Supreme Court, by some subterfuge, has side-stepped the issue and dismissed our petition. But for the last three years, the court has been steadily drifting back to its old moorings, the recognition of human rights. And this drift and trend back to the principles of free institution, is largely chargeable to the master mind of that eminent jurist, Mr. Justice, Chas. E. Hughes, of New York. It was this celebrated jurist who handed down the decision, declaring unconstitutional the labor or peon laws of the State of Alabama. It was this same jurist, who this week handed down the opinion, declaring the railroad laws of the State of Oklahoma, discriminating against persons because of their color, unconstitutional.

It was held, through Mr. Hughes for the majority, that the railroads must provide dining cars and sleepers of equal fineness and accommodation for the Negroes of Oklahoma, in common with the white passengers of that State. The right of the State to provide separate accommodation of equal advantages was not questioned. But the court held that if the railroad provided luxurious cars for the white passengers, they must provide the same thing for the Negro passengers. If the white man has a diner, sleeping car or observation car, the railroad must provide the same thing for the Negroes. And if they do not provide them for the Negroes, the regulation is unconstitutional.

The contention of the railroads was that the trade of the Negro or the

equal money. The old hobby that Negro travel will not warrant sleeping cars and diners will no longer hold good. While they may provide separate accommodations, the separate accommodations must be the same,—in facility, comfort and ease. Yes, there is still hope for us.

THE JIM CROW CARS SITUATION.

Indicates having just returned from an extensive southern tour, embracing Tennessee, Mississippi, Alabama, Georgia and Florida.

With great jurists like Mr. Hughes and the majority of the Supreme Court, there is still hope for the Negroes in this country. We need not despair; all we want to do, is to be law-abiding citizens, progressive—in our march onward and upward,—obeying the law, respecting its mandates and fighting for our constitutional rights under the law and within its limitation. Taking pains in the first instance, that we build up for ourselves a substantial character, and substantial and helpful citizenship, accumulating as much of the wealth of the country and its respectability as anybody. Then, when we are discriminated against in the State, take our petition up to the Supreme Court of the United States, where it can finally determine our status and right before the law. The Supreme Court is the bulwark of our civilization. The court is entitled to our respect. It is their duty to interpret the law, and when we receive the interpretation, it is our business to obey the law. The law is fair, it is all right, there is nothing wrong in the constitution of the United States, and little wrong in the constitution of the States. Some few of the States have passed discriminating amendments, abridging our rights, but when the question is presented fairly and squarely to the court, the court can not side step the issue, and it must decide the question according to the law. And when the law is correctly interpreted and applied, the Negro will have nothing to fear. There is still hope for him, and his opportunities will grow brighter each day as he becomes useful and intelligent. The Negroes of this country thank Mr. Justice Hughes and the majority of the court for their correct interpretation of the law. They have only done their duty, and it is not necessary for us to thank them, and they do not expect it. They have been absolutely color blind in the investigation and determination of this case, and they have reached the only conclusion that an honorable just judge could reach,—that all citizens are entitled to the same privileges and opportunities before the law; that every common carrier must give every citizen equal accommodation for

Mrs. Embry's letter is timely. It is in the right spirit. She tells a straightforward story of what she experienced, and shameful enough, in view of the quality of the women, as we infer by her communication.

In our opinion, the railroad companies will do the better part of what the officials have said, if they are reminded of it often by such persons as Dr. Booker T. Washington and Mrs. Julia Embry. We mean persons who call the attention of the officials in a respectful way, asking for a reform in that language in which reforms are asked.

It would be much better if the companies entered the work with the proper, appreciative spirit, rather than being forced. He who is convinced against his will is of the same opinion still. The assertion is almost a truism. We know how we have been baffled and beaten in spite of laws, the injunction of the Interstate Commission and the powers of the government. The companies went right on, sweetly oblivious to it all, and just as other great concerns went on doing what they cared to do with the would-be Negro patrons.

Last week we had occasion to refer to the separate coach situation. We spoke of it in a general way, insisting that we use moral suasion, much of it, in order to bring about relief from the ugly condition that confronts us. We had in mind Prof. Dudley's view, that the railroad companies could not be depended on to improve the facilities of the coaches for colored people unless compelled to do so. While not violently disagreeing with the North Carolina educator, we are of the opinion that we should give credence to the sentiment of those finely expressed letters by the railroad men.

We do not mean humility of speech, but respectability of speech. Mrs. Embry sets forth the conditions of the coaches in which she rode in a convincing way. We are satisfied that the companies do not take pride in giving poorly cared for coaches to the colored people, yet they are of the American people, and who do not believe in being made to do anything much. We can imagine the rest when the colored people have part in the controversy. All else failing we should not forget to try the law—but everything else, until that stern and doubtful necessity.

We said last week that public sentiment preceded the law. Such is the case. It is up to us to show those railroad men what is being done in those separate coaches—constantly. The public should know it, for it is the only tribunal for unpopular causes. Somehow the people will wobble right, as it were said by Lincoln, or some other thoughtful individual. This means more than likely, that in the disputes and squabbles of men righteousness will edge to the fore. Little by little in their mad contending the truth is admitted, when every man gets his just desert. To enlarge a little more

yet: the Civil war came through the contentions of men, the Missouri Compromise, the Kansas-Nebraska bill and the rest of them when the defeated admitted the still great thing of freedom and threw their influence to that end. In Congress, out of Congress, men are yet disputing; they are still contributing to "unalloyed" right as a result of their quarrels.

When our questions are not reached in a direct way, when they are not cared for in a direct way, we must rely on indirect influence. We are not out of the calculation in these indirect influences. We can help fashion them. We can do this by setting forth our grievances as the poor, weak and denied have done before, and in time we will benefit by those truths and admissions that are flung forward by the parties of contending men.

"JIM CROW" COACHES.

On the action or the non-action of the Supreme Court the Negroes of Oklahoma won a partial victory, if it may be so classed, and by courtesy it may be called that. The majority of the members handed down an opinion that that part of the Oklahoma "Jim Crow" law which permitted railroads to provide sleeping and chair accommodations only to the white race was unconstitutional.

We said partial victory advisedly; not because the other contention—that of separate coaches was not "annulled"—but because the thing of equal coach facilities were simply denied, and not withheld in compliance with the demands of the white traveling public. The Interstate Commerce Commission, with what little voice it had, ruled and reruled, that the coaches for Negroes were to have the same facilities as those in which the white people rode. The laws of most of the other states, if we are not mistaken, have provisions to the extent that equal facilities be provided for the coaches in which the Negroes were to ride. But in spite of all of this the coaches on many of the roads in which Negroes ride are as poorly equipped as they were when the separate coach movement was first agitated.

Now then, with the three forces as a propelling power to have the companies make proper arrangements in the coaches occupied by Negroes, the thing has not been brought about, generally, at least. Some months ago Dr. Booker T. Washington asked that the Negroes observe a railroad day, asking that they petition the railroad companies to do what they said they would do, what the sentiment of the communities permitted them to do, what the law ought to have compelled them to do, what was morally right and humane for them to do and what was honest for them to do since the Negroes were paying, and are paying first-class fares. After the manner of Emile Zola, in the Dreyfus affair, "I accuse," we accuse in the name of the race these "deterrents" to our en-

larged liberties with needlessly obstructing the progression thereto, "in-dicting" them on the five above mentioned counts. Regardless of the obviously dramatic presentation of the foregoing it fits the situation just as surely as if it were the most prose.

When Dr. Booker T. Washington asked that the Negroes observe what he called Railroad Days, the object was to petition the railroad companies to agree to do the things that the law said that they should do; those things which were not contrary to the southern white man's public opinion. The observation of the days was not what it might have been on the part of the Negroes. Many were, and are now, opposed to pleading for what is due, to express it as they view it.

Out of respect for Dr. Washington's position there should have been more oneness, since the end in view by all was the same. It is but right to say that he saw the situation as a whole, the white man's side as well as our own—the old race struggles—making effort to win by compromise or strategy what was so persistently denied. The struggle is to win as in that other warfare of which we read so much; not the means, so much, but the end.

The railroad companies listened carefully to what Dr. Washington had to say. They replied to him in most beautiful letters, most every one being satisfactory, the companies promising to look into the situation with the view of improving it. "Fine words butter no parsnips," or something like that, Carlyle said. They do, however, turn away wrath even if only for a short while. But in all ~~sincere~~ ^{honest} was thought, generally, that the companies would make good. Among the race, everywhere, there was a feeling of congratulation that, at least, good coaches, with good fittings, with good attention were to be instead of that series of "indifferences" known then and at this time—that condition which makes hard the life of the Negro traveling public.

As a result of the Railroad Days movement companies were heard from, and which expressed themselves as willing and anxious to do the "proper" thing. So far, nothing is known of a movement to bring to pass the things asked for by the Negroes.

We do not think so meanly of the railroad companies in refusing. They know that the innervation—the change is expensive. But they at the same time know that the Negroes are not getting value received. Dollars are not the whole of life, and it is positive enough that our Jim Crow degradation is the result of railroad economy—a situation, however, brought about by race proscriptions, called laws. The truth of the matter is, that in these instances we are outlawed, legally excommunicated, in that we depart a jot or tittle from the common treatment. Yet none of these things have beset us; we are merely asking, demanding what we pay for, the same kind of

accommodations that other races get and not for the association of white people.

ON FINED FOR DISCRIMINATION

Failed to Provide Equal Accommodations for Colored and White Passengers

WHITE JURY SAT IN CASE

Railroad Fined \$500 in Kentucky Court because Jim Crow Law, Requiring Equal Service, Was Violated

INDICT THREE RAILROADS

White Business Men of Community Voiced with Negroes in Fight for Better Conditions on Railroads and Appeared as Witnesses in Case.

FROM PROSECUTOR SMITH

To the Editor of The Age:

The principle involved in these prosecutions is whether or not a colored man shall be forced to receive a half a pound for the price of a pound, and whether a dollar in the hands of a black man is worth any less than a dollar in the hands of a white man. It is just as wrong to give a colored man inferior transportation for the maximum fare as it would be to give him half-valued merchandise for the top price.

INDICTMENTS ARE RETURNED

Against Railroad Companies—Furnished Poor Facilities in Cars for Colored People—Winning

3-14-'14—Freeman
HOPKINSVILLE, Ky., Mar. 9.—Indictments were returned in the Circuit Court Indictments.

ting, here today against the Louisville & Nashville, the Illinois Central and the Tennessee Central railroads for discrimination practiced in the quality of the cars and service given to the colored people in the Jim-Crow cars.

Six indictments were returned by the grand jury against the Louisville & Nashville and one each against the other two roads. The indictments charge that the railroads have violated the law in discriminating in the quality, convenience and accommodations in the cars set apart for the white and colored passengers. Under the separate coach law of the State this is a misdemeanor and the penalty provided is a fine of not less than \$500 nor more than \$1,500 for each offense.

This is considered to be a signal victory for the colored people of Hopkinsville and the State of Kentucky. The coaches set apart for them have been the merest makeshifts, being dirty, unsanitary and provided with single toilet rooms, which colored men and women have been forced to use in common.

Repeated requests have been made by the colored people to the management of the railroads, and on one occasion to the State Railroad Commission, without securing relief. Finally, The Saturday News, of this city, of which Phil H. Brown is editor, published an editorial calling attention to the injustice that is being done the colored people by the miserable transportation that has been afforded them for the same fares that the white people are paying for comforts and conveniences of travel.

The Saturday News has a large reading clientele among the white people of this county, and Commonwealth Attorney Denny P. Smith took the matter before the grand jury, now sitting here, and the indictments were secured. He was ably assisted by Judge John Feland, one of the leaders of the Kentucky bar and a warm friend to the colored people; C. W. Merriweather and Walter Robinson, members of the local bar, E. W. Glass and Peter Postell, prominent colored business men, and practically all of the better classes of both races in this city.

The people here are congratulating themselves upon the fact that the most tangible movement toward securing equal accommodations upon the railroads in Kentucky emanates from Hopkinsville, where the feeling between the races is better than that of any place south of the Ohio river. It is not believed that these indictments could have been secured in any other county in the State of Kentucky, or elsewhere in the South.

Members of the better element of the white race have invested their efforts in securing the indictments, which are believed to mark a new era for the Negro in the South, especially in the matter of transportation.

As soon as it was known that the indictments had been found the leaders of the colored people set plans afoot to hold a monster mass meeting congratulatory of Commonwealth At-

torney Smith, Judge Feland, Phil Brown, E. W. Glass and others who interested themselves in securing the rights of the Negro.

MARYLAND SOLONS PASS NO SEGREGATION BILLS

ANNAPOLIS, Md., April 8.—The bill, providing for "Jim Crow" seats for colored passengers on electric railways in the cities and towns of the State, was defeated in the closing hours of the legislature Monday night. Consideration was indefinitely postponed following a plea made by Delegate Wilkinson, of Baltimore, that the proposed law would be more hurtful to whites than to Negroes.

A measure making lawful segregated residences districts in the cities and

towns of the State also failed of passage.

No legislation was passed to lengthen

POLICY GOOD, PRACTICE BAD

The Journal & Guide
3-28-'14
Railroads Will Never Comply

With Law Until Made To Do
So, Dr. Dudley Declares

WILL NOT HEED PETITIONS

Colored People Must Seek Improvement In Railroad Accommodations In The Courts

Referring to the recent efforts that have been made to bring violations of the separate car laws to the attention of executive officers of leading railroads, Dr. James B. Dudley, president of the Agricultural and Mechanical College at Greensboro, N. C., and also president of the North Carolina Teachers' Association is appealing to all Negroes who are dissatisfied with the treatment to subscribe \$1.00 to a fund to the end that we can raise \$300 or \$400 to make a vigorous legal prosecution for our legal protection. We command to the Negro readers of your paper the example of the Negroes in Hopkinsville, Ky., who have indicted the railroads for violation of the law. It will require something of this sort to bring to us rights and conveniences guaranteed to us by the law.

THE SEPARATE CAR LAW.

"The members of the North Carolina Teachers' Association will undoubtedly appreciate the increased interest which has been given to the enforcement of the separate car law by reason of Dr.

B. T. Washington's recent letter extensively published in all the

papers. While we are satisfied the letter will do much towards directing increased attention and interest to this important subject, we are equally satisfied that Dr. Washington is in error if he is ex-

pecting to accomplish much re-

sults from his advice that the colored people take up the matter with the railroad officials. For some years we have been doing this very thing and the writer also has received a similar letter from the late President Finley as

that written to Dr. Washington. The late President Finley of the

Southern Railway and also the present President Harrison both have written letters explaining that "the policy of the company" is to give fair and equal treatment to all. In fact, the "policy" of the railroads is simply beautiful; but as we wrote President Harrison, it is not the policy of the railroads that disturbs us, it is the practice. It is of no importance to the Negroes who may be killed by reason of inferior accommodations, it is no comfort to Negroes who travel taking extra risks upon their lives and enduring less comforts and conveniences to be assured of the policy of the company. What we want is the protection of our lives, the comforts and safety guaranteed under the law.

MUST RESORT TO COURTS.

"Now we can only get this by resorting to some effectual method to secure the enforcement of the law. It is a waste of time to discuss this matter with the railroad officials. They know what the law is and they know they are not complying with the law. The North Carolina Teachers' Association is appealing to all Negroes who are dissatisfied with the treatment to subscribe \$1.00 to a fund to the end that we can raise \$300 or \$400 to make a vigorous legal prosecution for our legal protection. We command to the Negro readers of your paper the example of the Negroes in Hopkinsville, Ky., who have indicted the railroads for violation of the law. It will require something of this sort to bring to us rights and conveniences guaranteed to us by the law.

Appeals for Contributions.

"Do not be deluded by polite letters and soft promises. We must make a determined effort if we want to change conditions. The writer on behalf of the North Carolina Teachers' Association appeals again to each teacher who is dissatisfied with present conditions and who is able to contribute to send \$1.00 and we are satisfied we can revolutionize railroad accommodations for Negroes in North Carolina.

Jas. B. Dudley,

"Pres. North Carolina Teachers Association."

Jim Crow Cases and Laws - 1914 Springfield, Mass.

Philadelphia Record

December 1914 JIM CROW LAW UNFAIR, SUPREME COURT HOLDS

Oklahoma Sleeping Car Statute
Asserted Unconstitutional.

But Not So Decreed.

OPINION NOT UNANIMOUS

Defective Petition Prevents
Granting of Injunction

Asked.

Washington, D. C., Nov. 30.—A majority of the Supreme Court today joined in an opinion that the Oklahoma "Jim Crow" law proviso permitting railroads to furnish sleeping, dining and chair car accommodations only to the white race was unconstitutional; but they did not so decree, because of imperfections in the petition on which the case reached the Courts.

The case was one in which five negroes, claiming that the entire law was unconstitutional, sought an injunction to restrain five railroads in Oklahoma from enforcing it. The Oklahoma Federal Courts dismissed the petition, holding the law constitutional. The majority of the Court affirmed the dismissal today, because the negroes had not shown that they had applied to the railroads for accommodation under the law or that the railroads had notified them that they would be refused certain accommodations. The majority, through Justice Hughes, stated, however, that they could not agree with the lower Court that the proviso as to sleeping, dining and chair cars was constitutional.

A minority, consisting of Chief Justice White and Justices Holmes, Lamar and McReynolds, concurred merely in the order of affirmance, but expressed no views on the constitutional question.

In the opinion by the majority Justice Hughes stated that previous decisions that laws for separate coaches for the two races was constitutional were not to be questioned. He then set forth the reasons for the opinion that the lower Court was wrong in holding the proviso constitutional.

"The reasoning is," said he, "that there may not be enough persons of African descent seeking these accommodations to warrant the outlay in providing them. This argument with respect to the value of the traffic seems to be without merit. It makes the constitutional right de-

pend upon the number of persons who may be discriminated against, whereas the essence of the constitutional right is that it is a personal one. Whether or not special facilities shall be provided may doubtless be conditioned upon there being a reasonable demand therefor, but if facilities are provided substantial equality of treatment of persons traveling under like conditions cannot be denied. It is the individual who is entitled to the equal protection of the laws, and if he is denied by a common carrier acting in the matter under the authority of the State facilities or conveniences in the course of his journey under substantially the same conditions as furnished to another traveler, he may properly complain that his substantial privileges have been invaded."

The Justice then pointed out that defects in the petition presented an insuperable obstacle to the granting of the injunction.

The Court gave no intimation as to whether in a proper case it would merely hold the "luxury" car section unconstitutional, or whether it would decide that this section being unconstitutional the entire law must fall. The five railroads in the case asked the Court when the case decided today was argued to hold the entire law unconstitutional if the "luxury" proviso was annulled.

December 1914 JIM CROW LAW VOID

U. S. Court Agrees in Railroad Suit;
Frank Case Heard

WASHINGTON, D. C., Nov. 30.—A majority of the Supreme Court today joined in an opinion that the Oklahoma "Jim Crow" law proviso permitting railroads to furnish sleeping, dining and chair car accommodations only to the white race was unconstitutional, but they did not so decree because of imperfections in the petition on which the case reached the courts.

The case was one in which five negroes, claiming that the entire law was unconstitutional, sought an injunction to restrain five railroads in Oklahoma from enforcing it. The Oklahoma Federal Courts dismissed the petition, holding the law constitutional.

The appeal of George G. Henry, a New York banker, from the decision of the New York courts, holding he must return to Washington to answer to indictment for contempt of Congress for refusing to give information to the "money trust" investigating committee, was dismissed.

Leo M. Frank's application for a review of his conviction in Georgia courts for the murder of Mary Phagan, an Atlanta factory girl, came before the entire court today after having been previously denied by two individual justices, one of whom expressed the opinion that Frank had not had due process of law. Decision will be announced next Monday.

UNION
DEC 2 1914

THE "JIM CROW" POLICY OF GOVERNMENT.

The United States Supreme Court, in pronouncing the Oklahoma "jim crow" law unconstitutional, had not read President Wilson's recent remarks to the delegation of Negroes recently entering a protest at the White House, or signally failed to heed that ingenious exposition of the policy of segregating members of the race. The court could not see that the question was a "human" instead of a legal one. It could not be made to believe other than that a citizen has a right to ask for justice and to refuse to accept a substitute labeled "just as good." Railroads cannot be asked to provide facilities in excess of what the traffic will stand, the court says, but they must treat the races alike. If they provide sleeping and dining quarters for whites, they must do the same for blacks.

Of particular interest is the answer given to the contention that such special accommodations were in the nature of a luxury that Negroes in general are not in a position to pay for. This reasoning is false, the decision says, because "it makes the constitutional right depend upon the number of persons who may be discriminated against, whereas the essence of the constitutional right is that it is a personal one." This is a clear statement of what it means to have questions decided by a court under the Constitution, instead of by a popular majority at the polls. Though an aggrieved party consist of a single individual, that person is as much entitled to his rights as if the number were legion.

The doctrine of this decision ought to be as valid in respect to the governmental departments at Washington as it is with regard to the railroads of Oklahoma. It fulfills the spirit of the Fifteenth Amendment, which prescribes equal and fair treatment, regardless of race. Probably the plea will be advanced that where Negro clerks have been segregated they have received accommodations just as good, but we do not think this allegation can be sustained by the facts. The "jim crow" policy of government is indefensible.

JUL 3 1914

POOR TRAIN ACCOMMODATIONS

Shreveport, La., Citizens Complain
Against Discrimination

This matter of railroad accommodation for Negroes on the different railroad lines running out of Shreveport has become a serious proposition. We are crowded in one end of the car like so many sardines in a box. Many of the roads have the smokers both of which are given to white men; and to get to the one which the law allows the Negroes the whites must pass through the Negro coach—hence there is a continual march of white men to and from through the Negro coach. Suppose this was true of the white coach.

Negro men and Negro women are made to use the same closets, and when Negro men object to it some of the conductors, who act as if the road belong to them, get wild in their jaw and are ready to have a mob meet you at the next station to lynch you. How long will ten million Negroes have to submit to such unhumanly, unjust and unfair treatment at the hands of public carriers?

Just as long as we lay supinely on our backs and dream of the delusion of hope. We must go down into our pockets and raise a fund and fight it out in the courts. The railroad officials know we are not getting justice, the conductors know we are not fairly treated, we know it is wrong. The Negro will not get a single thing that the law gives them without protesting for it.

Let every Negro get busy and give something to change condition on the roads, at the stations and in general.

—News Enterprise.

JOURNAL

DEC 1914

THE COLOR LINE

A majority of the United States Supreme Court joined in an opinion that the Oklahoma law proviso, permitting railroads to furnish sleeping, dining and chair car accommodations only to the white race was unconstitutional, but they did not so decree, because of imperfections in the petition on which the case reached the courts. The majority, through Justice Hughes, stated that previous decisions in regard to laws for separate coaches for the two races being unconstitutional, were not to be questioned. He then set forth the reasons for the opinion that the lower court was wrong in holding the proviso constitutional. The reasoning is, said he, "that there may not be enough persons of African descent seeking these accommodations to warrant the outlay

in providing them. This argument with respect to the value of the traffic seems to be without merit. It makes the constitutional right depend upon the number of persons who may be discriminated against, whereas the essence of the constitutional right is that it is a personal one. Whether or not special facilities shall be provided, is doubtless conditioned upon there being a reasonable demand therefor; but if facilities are provided, substantial equality of treatment of persons traveling under like conditions cannot be denied. It is the individual who is entitled to the equal protection of the laws, and if he is denied by a common carrier, acting in the matter under the authority of the state, facilities or convenience in the course of his journey, under substantially the same conditions as furnished to another traveler, he may properly complain that his substantial privileges have been invaded.

December 6 1914 NEGRO COMMITTEE THANKS RAILROAD

Appreciate Action of N. C. &
St. L. In Bettering Accommodations.

Rev. G. W. Porter, colored, Chairman of a committee appointed by the North Nashville District Conference to thank the N. C. & St. L. Railroad for improving its accommodations for negro passengers, has prepared the following expression of appreciation:

"I wish, on behalf of the committee appointed by the North Nashville District Conference, which held its session in this city July 22, to publicly thank the N. C. & St. L. Railroad officials for the steps taken by them in the way of providing better accommodation for the colored people who patronize that particular road. We note that since our petition was sent to President Peyton the little department cars, which are cut up into baggage, smoking and negro compartments, have been discontinued. We note also that the cars we are now using are far more commodious and comfortable, and that more attention is being given to the comfort of colored passengers."

We learn from very reliable sources that an inspector has been appointed whose business it is to travel over the lines and see that the strictest

rules are obeyed with regard to the sleeping, dining and chair car accommodations of our people. We are told that no whisky drinking or rough and unbecoming conduct will be allowed by any person traveling in these cars from the President down the officials. The particular company will in the case was one in which five negroes, claim future see to it that the colored passengers will be made as comfortable as possible.

"On a trip to and from Memphis last week the Chairman of the committee was agreeably struck with the changed condition of things, and after consulting others of the committee, we now live in great hope that since these officials have taken matters in hand the improvement will continue until we will have sure enough "separate but equal accommodation for the races," and this is all we ask.

"Therefore, on behalf of our committee, and on behalf of all our people, we offer thanks for the good work done thus far.

"REV. G. W. PORTER.
"Chairman."

We had hoped that one legislature could meet in Maryland without attempting to pass any repressive measure against the Negro, but that hope failed us at the last moment. Just what temper was sent into that body to make it show its cloven foot we are unable to tell, but it was done and not only was a segregation bill offered and brought out of the committee but a street "Jim Crow" car law as well. Is it not too bad that a couple of hundred white men can not get together to legislate for the good and welfare of a community without attempting to pass legislation that has for its ultimate end the humiliation of at least one-fifth of that community? It is a shame. We are tempted at times to think that the old time doctrine of an eye for an eye and a tooth for a tooth would not be altogether a bad doctrine for times like these. It is a shame that any community is cursed with men like these.

Boston Mass. Trans.

DISMISSES JIM CROW CASE

Majority Agrees Oklahoma Law Is Unconstitutional, but Does Not So Decree Because Petition Is Faulty

Washington, Dec. 1—A majority of the Supreme Court yesterday joined in an opinion that the Oklahoma "Jim Crow" law, permitting railroads to furnish

tions only to the white race, was unconstitutional, but they did not so decree, because of imperfections in the petition on set apart for our people, and that from the President down the officials which the case reached the courts. The of this particular company will in the case was one in which five negroes, claim future see to it that the colored passengers will be made as comfortable as possible.

The Oklahoma Federal courts dismissed the petition, holding the law unconstitutional. The majority of the Supreme Court affirmed the dismissal because the negroes had not shown that they had applied to the railroads for accommodation under the law or that the railroads had notified them

of what President Peyton and his officials are doing for us in this matter. The majority, through Justice Hughes, stated, however, that they could not agree with the lower court that the proviso as to sleeping, dining and chair cars was constitutional. A minority, consisting of Chief Justice White and Justices Holmes, Lamar and McReynolds, concurred merely in the order of affirmance, but expressed no views on the constitutional question.

In the opinion by the majority, Justice Hughes stated that previous decisions that laws for separate coaches for the two races was unconstitutional was not to be questioned. He then set forth the reasons for the opinion that the lower court was wrong in holding the proviso unconstitutional.

"The reasoning is," said he, "that there may not be enough persons of African descent seeking these accommodations to warrant the outlay in providing them. This argument with respect to the value of the traffic seems to be without merit. It makes the constitutional right depend upon the number of persons who may be discriminated against, whereas the essence of the constitutional right is that it is a personal one. Whether or not special facilities shall be provided, doubtless is conditioned upon there being a reasonable demand therefor, but if facilities are provided substantial equality of treatment of persons travelling under like conditions cannot be denied. It is the individual who is entitled to the equal protection of the laws, and if he is denied by a common carrier, acting in the matter under the authority of the State, facilities or conveniences in the course of his journey, under substantially the same conditions as furnished to another traveller, he may properly complain that his substantial privileges have been invaded."

The Justice then pointed out that the defects in the petition present an insuperable obstacle to the granting of the injunction. The court gave no intimation as to whether, in a proper case, it would merely hold the "luxury" car section unconstitutional, or whether it would state that this section being unconstitutional, the entire law must fall. The five railroads in the case asked the court, when the case decided yesterday was argued, to hold the entire law unconstitutional if the "luxury" proviso was annulled.

NEW YORK EVENING POST

1 December 1914

Yesterday's decision of the Supreme Court, on the Oklahoma "Jim Crow" law, is but one of several that will soon have to be made in cases of like kind

pending before it. They all involve the Constitutional rights of negroes. While the Court held itself in this instance, as all courts will, to the strict legal procedure, and so dismissed as faulty the petition to enjoin the Oklahoma railroads from enforcing the State law, this dismissal was not simply without prejudice, but was accompanied by an opinion on the ultimate main question which is of good augury for the future. The majority decision, as given by Justice Hughes, laid down positions which are wholly inconsistent with attempts of any kind to write race discriminations into law. "The essence of the Constitutional right," said the Supreme Court, referring to the right to equality of treatment, "is that it is a personal one." It has nothing to do with the numbers or color of persons affected.

"Substantial equality of treatment of persons travelling under like conditions" is what common carriers are bound to furnish, declares the Court, and, if they do not, the aggrieved At Deming, N. M., we are refused service in the dining room and told to get what we want at the lunch counter. When we go there and order, it is thrown at us as if we are not wanted there.

At Rincon where there is at least a 9-hour layover, there is no accommodation provided for us either to eat, sleep or wait for the next train. At 10 p. m.

the depot is closed for the night and we have to stand out in the cold regardless of whether we have our families with us or not.

Between Albuquerque and El Paso, Tex., we are constantly reminded of our status over your line by the flaring placard, "This Car for Negroes." Those of our race who do not know that there are no discriminating laws in the state are kept in ignorance by the employes and remain there amidst all that smoke and stench. We can't see why the practice is kept up of keeping that Jim Crow sign there whilst in New Mexico. Hoping that you will give this matter some attention, I remain yours truly,

JOHN A. DU BINION, Secretary.

To this letter the following letters of acknowledgment were received:

June 10, 1914.

Mr. John A. Du Binion,
Silver City, N. M.

Dear Sir: This will acknowledge receipt of your letter dated May 4th, making complaint of treatment received on our lines in New Mexico. I will ask Mr. W. B. Storey, Vice President in charge of Operation, under whose jurisdiction this matter comes, to give it attention.

Your truly,

E. P. RIPLEY,

Chicago, Ill.

Justice Hughes said that sleeping cars could not be denied to negroes because their demands for such accommodations were few compared with the demands of white people. Substantial equality of treatment must be provided for all travelers, the justice said.

The court, however, refused to nullify the Oklahoma law because the negroes who brought suit to restrain its enforcement never had been denied sleeping car accommodations. Justice Hughes indicated that the other questions raised by the negroes had been settled previously and dismissed their suit.

NEW MEXICANS ACT ON RAILROAD DAY

Special to THE NEW YORK AGE.

SILVER CITY, N. M., July 20.—The Negro residents of Silver City, N. M., took action on Railroad Day and filed a protest against the discrimination practiced by the Santa Fe Railroad between Silver City and Albuquerque and El Paso, Texas. Among the citizens taking action on the matter, were John Gaskins, Wm. Courtney, John A. DuBinion, John Lott, Louis Neal, W. U. Scott and Henry Woods.

The following letter was addressed to the railroad:

Silver City, N. M.,
June 4, 1914.

Mr. E. P. Ripley,
Pres. Santa Fe R. R. Co.,
Chicago, Ill.

Dear Sir: We the Negro residents of Grant Co., N. M., hereby enter our protest on the service we receive over your line between here, Albuquerque and El Paso, Tex.

At Deming, N. M., we are refused service in the dining room and told to get what we want at the lunch counter. When we go there and order, it is thrown at us as if we are not wanted there.

At Rincon where there is at least a 9-hour layover, there is no accommodation provided for us either to eat, sleep or wait for the next train. At 10 p. m. the depot is closed for the night and we have to stand out in the cold regardless of whether we have our families with us or not.

Between Albuquerque and El Paso, Tex., we are constantly reminded of our status over your line by the flaring placard, "This Car for Negroes." Those of our race who do not know that there are no discriminating laws in the state are kept in ignorance by the employes and remain there amidst all that smoke and stench. We can't see why the practice is kept up of keeping that Jim Crow sign there whilst in New Mexico. Hoping that you will give this matter some attention, I remain yours truly,

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Your truly,

E. P. RIPLEY,

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Justice Hughes said that sleeping cars could not be denied to negroes because their demands for such accommodations were few compared with the demands of white people. Substantial equality of treatment must be provided for all travelers, the justice said.

JIM CROW LAW BEFORE THE HIGHEST COURT

WASHINGTON, Oct. 26.—The validity of the Jim Crow law of Oklahoma hangs on the outcome of an oral argument to-day before the Supreme Court. William Harrison for the Negroes of the state and S. T. Bledsoe came to Washington to argue the constitutionality of the law.

In addition to the usual Jim Crow requirement of separate cars and waiting rooms for the white and Negro races, the Oklahoma statute allows the railroads to use the chair cars, sleeping cars, and dining cars exclusively for one race. The railroads contend that this is a justified distinction in service, as not enough Negroes desire these facilities to pay the railroads for furnishing them separately.

NEW YORK, Nov. 1, 1914

OKLAHOMA JIM CROW LAW STANDS

Majority of Supreme Court, However, Believes the Law Invalid.

WASHINGTON, November 30.—The judgment of the Oklahoma Federal courts, which refused to enjoin the operation of the Oklahoma "Jim Crow" law was affirmed to-day by the Supreme Court. The lower court held the law constitutional, notwithstanding the section which provides sleeping, parlor, and chair-cars for white persons alone.

Justice Hughes, speaking for a majority of the Supreme Court, declined to agree with that contention, however, and a decree was not issued because the case set forth the rights of the negroes too generally.

Chief Justice White and Justices Holmes, Lamar, and McReynolds joined the other justices in affirming the decision of the lower court, but did not concur with the holding on constitutionality as it refers to railroad cars.

Although a majority of the court expressed the opinion that the law was invalid, that was not decreed because of the error in the previous proceedings.

ROADS MUST FURNISH SLEEPERS FOR NEGROES

Supreme Court Says They Are Entitled to All Conveniences

WASHINGTON, Nov. 30.—Sleeping car, chair car and dining car accommodations must be furnished by railroads for whites and negroes alike. This in substance, was the decision of the United States supreme court in the test case of Oklahoma's "Jim Crow" law, which bars negroes from such accommodations.

The opinion was read by Justice Hughes and concurred in by Chief Justice White and Justices Holmes, Lamar and McReynolds.

Justice Hughes said that sleeping cars could not be denied to negroes because their demands for such accommodations were few compared with the demands of white people. Substantial equality of treatment must be provided for all travelers, the justice said.

NEW YORK GLOBE

26 October 1914

Jim Crow Cases and Laws - 1914

RAILROADS INDICTED FOR DISCRIMINATING The New York Age Land N. Illinois Central and Tennessee Roads Must Stand Trial

6 INDICTMENTS RETURNED

Grand Jury of Hopkinsville, Ky., Finds That Negroes Are Receiving Inferior Accommodations.

Special to THE NEW YORK AGE.

HOPKINSVILLE, Ky., March 10.—Indictments were returned in the Circuit Court here Monday against the Louisville & Nashville, the Illinois Central and Tennessee Central railroads for discrimination practiced in the quality of the cars and service given to the colored people in the "Jim Crow" transportation in this State.

Six indictments were returned by the Grand Jury against the Louisville and Nashville and one each against the other roads. The indictments charge that the railroads have violated the law in discriminating in the quality, convenience and accommodations in the cars set apart for the white and colored passengers. Under the separate coach law of this State this is a misdemeanor and the penalty provided is a fine of not less than \$500 nor more than \$1,500.

Signal Victory for Negroes of Hopkinsville.

This is considered to be a signal victory for the colored people of Hopkinsville and the State of Kentucky. The coaches set apart for them have been the merest makeshifts, being dirty, unsanitary and provided with single toilet rooms, which colored men and women have been forced to use in common.

Repeated requests have been made by the colored people to the management of the railroads, and on one occasion to the State Railroad Commission, without securing relief. Finally the *Saturday News* of this city, of which Phil H. Brown is editor, published an editorial calling attention to the injustice that is being done to the colored people by the miserable transportation that has been afforded them for the same fares that the white people are paying for comfort and conveniences of travel.

Best White People Interested.

The *Saturday News* has a large reading clientele among the white people of this county, and Commonwealth Atto-

ney Denny P. Smith took the matter before the Grand Jury, now sitting here, and the indictments were secured. Mr. Smith is a fearless prosecutor and a firm believer in fairness to all citizens without regard to color or creed. He was ably assisted by Judge John Feland, one of the leaders of the Kentucky bar and a warm friend to the colored people; by C. W. Merriweather and Wal-

ter Robinson, colored members of the local bar; by E. W. Glass and Peter Postell, prominent colored business men, and practically all of the better classes of both races in this city.

The people here are congratulating themselves upon the fact that the most forward movement toward securing equal accommodations upon the railroads in the South emanates from Hopkinsville, where the feeling between the races is the best of any place south of the Ohio river. It is not believed that these indictments could have been secured in any other county in the State of Kentucky, or elsewhere in the South.

Members of the better element of the white people have invested their efforts in securing the indictments, which are believed to mark a new era for the Negro in the South, especially in the matter of transportation.

As soon as it was announced that the indictments had been returned the leaders of the colored people set plans afoot to hold a monster mass meeting congratulatory to Commonwealth Attorney Smith, Judge Feland, Phil Brown, E. W. Glass and the others who interested themselves in securing the rights of the Negro.

RAILROAD ACCOMMODATIONS FOR NEGROES - SECOND INSTALL- MENT OF LETTER FROM OFFI- CIALS OF COMPANIES. DR. BOOKER T. WASHINGTON GOT GOOD RESULTS. 3-21-14

The following is the second installment of letters received by Dr. Booker T. Washington in reply to circulars addressed to the officials of railroad companies looking forward to the improvement of facilities in coaches provided for Negroes:

Railroad Accommodations for Ne- groes.

Editor—I sent you last week copies of a number of letters which I had received from the officials of some of the leading railways of the country in regard to the conditions under which colored people are required to travel in the South. If the readers of your paper have been interested in reading the letters already printed they will, perhaps, care to see this second installment of the correspondence which, I believe, with what has already been printed, covers all the railroads doing business in the southern states:

Some Cause for Criticism.

Mr. C. V. Johnson, President of the Norfolk & Western Railway Company, replies as follows: "I have read your article and I apprehend that there is some cause for criticism as outlined by you. Whether or not this applies to the Norfolk & Western Railway I am at this moment unable to advise definitely. Permit me to suggest that in presenting matters of this character to the public that it might be

well to be more specific and not include all the railroads that perhaps have reasonably well provided the same conditions for the colored people as they have for the white people. I know that in some instances the railroads have endeavored to do this and I further know that generally speaking it is the purpose of the executive officers of the railroads which operate in the states in which the separation of the races is made necessary in traveling, to do this, and great pains have been taken and a very considerable amount of money expended to bring about a condition that complies with the law, and all should not be condemned for the failure of some. I may write you further regarding this matter at a later date."

Desires to Be Fair to All.

Mr. W. J. Craig, Passenger Traffic Manager of the Atlantic Coast Line Railroad Company, says: "It is the desire of the Atlantic Coast Line to treat all of its patrons with fairness and to provide accommodations in accordance with the patronage received and not discriminate between them. As a southern man, I have only the best interests of your race at heart, and have noted with a great deal of interest the wonderful progress and development that they are making. I invite your criticism from time to time of our service with a view of correcting any conditions that it may be possible for us to do so."

Distributed 100 Copies.

Mr. George W. Stevens, President of the Chesapeake & Ohio Railway Company, says: "I have read with interest your pamphlet entitled, Is the Negro Having a Fair Chance? One hundred copies of this article have been received and distributed among the officials and in the employees' reading rooms. As you are well aware, both in Virginia and in Kentucky, the railway lines furnish the same accommodations for colored passengers as are furnished white passengers and it is a requirement that these accommodations shall be equal in every way to those furnished the white race. If it comes to your knowledge that equal service is not being given, I shall be glad to hear from you personally. In the other three states through which this company operates, West Virginia, Ohio and Indiana, segregation laws do not exist, and the Negro is accommodated in the same cars as the white race. As to employment by the railway companies the Negro is accorded the same treatment as the white man, and in some particular classes of employment is preferred to the white man. I am deeply interested in the work that you are doing and am quite convinced that it is along the right lines. If in any way I can aid you, do not hesitate to call upon me."

Taking the Matter Up.

Mr. R. Lancaster Williams, President of the Georgia & Florida Railway, writes: "I am in receipt of yours of the 13th instant and copy of pamphlet entitled, Is the Negro Having a Fair Chance? I have read the marked article and also your letter and I am taking the matter up with Vice-President Duer of the Georgia & Florida Railway."

No Discrimination on the Main Line.

Mr. C. B. Ryan, General Passenger Agent of the Seaboard Air Line Railway, writes: "I do not feel that criticism as to the discrimination between the two races in character of equipment provided for their use in travel can justly be made against the Seaboard Air Line. Our through trains are all equipped with new steel coaches. The coach for white passengers seats 86 people, for colored people 48 passengers. The facilities accorded the colored passengers are greater within ratio between white and colored travel. The accommoda-

tions are identical in every respect. On some of our principal local trains, take as an illustration the train leaving Atlanta for Monroe, N. C., a distance of 275 miles, the car which is used for colored passengers east bound is used for white passengers west bound—there being no arrangement for turning the train at its destination. On some of our branch lines and some of the minor accommodation trains, where the character and extent of the travel does not justify the higher class equipment, the accommodations are not as good for either white or colored, but as far as we are able to provide there is no discrimination between the two."

Cannot Believe It True.

Mr. W. W. Croxton, General Passenger Agent of the Atlanta, Birmingham & Atlantic Railroad Company, says: "I am much obliged for sending me copy of an article recently published by you in the Century Magazine. The management of this company want to accord to our colored patrons consideration and similar accommodations afforded white travel. I am familiar with the conditions on our lines, as I spend a greater part of my time on our trains, and it is impossible for me to believe the conditions complained of by you exist on our line, however, I have referred your article to our operating department, and have asked them to make investigation of conditions outlined in your article."

Facilities Just About the Same for Both Races.

Mr. E. T. Lamb, Receiver of the Atlanta, Birmingham and Atlantic Railroad Company, states: "I have read your article with a great deal of interest, and in reply thereto, beg to say that so far as our company is concerned, we are furnishing the colored travelers with practically the same facilities as are furnished white people. All of our coaches used by colored people are equipped with two compartments, one for the women and one for the men, if they do not care to smoke, as well as a smoking compartment. There are separate toilets provided for the men and women. Almost as a universal proposition, there is no difference in the character of the equipment provided for the colored and the white people. There is not as much space provided for the colored passengers, but what there is, is equally as good, there is sufficient space, however, provided to accommodate our patrons. At all of our stations the waiting room facilities for colored people are just about the same as for white people. There is not a lunch stand on our road that is not only willing but anxious to sell to colored people all they want, and at one point there is a separate window provided for colored people, and while this is not true at Manchester, the same people operate the lunch stand at Manchester, as at the other point, viz: Cordele, and colored people have no just cause for complaint as to their ability to get something to eat at these points."

Stands for Exact Justice.

Mr. W. G. Parr, Vice-President of the Illinois Central Company, writes: "I note in particular what you say about the railways and will give the matters referred to my personal attention to see to what extent we are derelict. I am sure, however, the matters you refer to have been greatly improved under the present management of the Illinois Central. We have had some of the other questions you raise under consideration for some time back. We abolished the 'supply train' on the Yazoo and Mississippi Valley railroad. We have stood for exact justice to our colored employees in other respects."

Tries to Treat All Alike.

Mr. C. W. Pidcock, President of Georgia Northern Railway Company, re-

plies as follows: "I have yours of the 9th inst., enclosing a marked copy of pamphlet containing an article which you recently contributed to the 'Century Magazine,' and have noted with interest what is said on page 13, 14 and 15. For your information I beg to advise that within the last three years this company has purchased two new trains of passenger equipment, to cover our regular runs between Boston and Albany, Georgia, and which comprise all of our passenger trains, and particular attention was given to furnishing exactly the same accommodations for colored passengers as for white. The cars are duplicates and contain separate compartments for colored smokers the same as the white cars. Toilets facilities were also given the same consideration, likewise ventilation, lights, etc. Would say that we at all times try to give the two races the same accommodations but, of course, you will readily understand that there are times when we have to put other than the new regular coaches in service. Even then an effort is made to treat all alike and conductors are instructed not to permit white people to ride in the cars assigned for colored people, and vice versa."

Not True of Georgia Railway.

Mr. Charles A. Wickersham, General Manager of the Georgia Railroad, says: "Replying to your letter of October 13th, addressed to Mr. Thomas K. Scott, beg leave to advise that the Georgia Railroad provides separate waiting rooms at stations for both white and colored passengers, and they are both furnished with equal accommodations and are given the same service. On practically all of our passenger trains separate toilets are provided for both men and women colored passengers, also separate smoking rooms. In other words, the passenger train accommodations for white are substantially the same. In fact, at the present time, the majority of the cars assigned to the colored travel consist of our newest equipment. On most of our trains the news agent carry their supplies in the compartments set aside for the whites, but on some trains where the colored travel is heavy, the supplies are stored in the colored compartment."

Trying to Do Their Best.

Mr. H. U. Mudge, President of the Chicago, Rock Island & Pacific Railway Company, writes: "I wish to thank you for calling my attention to same and to say that I have read it with great interest. The Rock Island Company does not operate very largely in the southern states, and in most of the territory where they have laws segregating Negroes, the Negro travel is such a very small proportion that it seems impossible to furnish them with as good facilities as are furnished for the white travel, which is the great bulk of travel, notwithstanding we try to do the best we can. I do not believe the conditions are quite as bad on Rock Island trains in the south as you state are generally true in that territory, but I am taking the matter up with our operating vice-president with the view of doing the very best we can to give the colored people in that territory equal facilities. In several of the states through which we operate, viz: Texas, Oklahoma and Arkansas, it is my opinion that the segregation law works a hardship not only upon railroads, but upon the colored people, and that the very small percentage of colored travel in those states could be accommodated in the regular cars for the white people, without any serious inconvenience to the white people, but this we are not permitted to do under the law."

Aims to Give Negro a Square Deal.

Mr. George G. Rawford, President of the Tennessee Coal, Iron & Railroad Company, replies as follows: "I wish to acknowledge receipt of your letter

of recent date addressed to me as President of the Birmingham Southern Railroad, regarding improvements in the accommodations extended the Negro race on the railroads. Our Birmingham Southern Railroad does a very small passenger service, which is confined to a train run Saturday nights from Edgewater to Birmingham. It is however, a subsidiary of the Tennessee Coal, Iron & Railroad Company, which has a very large number of Negro employees. We are trying to give the Negro a square deal in the Tennessee Company and I think have made some progress in that direction. It might be interesting for you, some time when you are in Birmingham, to visit some of the works and the mining towns of the company, not with a view of seeing a completed work, for it is hard to protect any man from the penalty of ignorance and the improvement through the things which we may do can only keep pace or perhaps be a little ahead of the response which our employees make to them. We have, however, made an advance each year and I think that a comparison of the way the Negro is treated in our company now with each preceding year, in respect to sanitary conditions, opportunities for education, protection from accidents, better housing conditions, and general all-round treatment, may afford you some encouragement in your efforts to improve your race."

Wants to Please Colored Patrons.

Mr. R. D. Pusey, General Passenger Agent of the Louisville & Nashville Railroad Company, says: "I want to thank you for calling my attention to the matter of space occupied by news agents in cars assigned for the accommodation of our colored patrons. This will be given immediate attention and instructions issued to the News Company, that their agents must place their wares in the smoking compartment assigned to white passengers. The other matters mentioned are being given serious consideration by this company, appreciating fully the importance and having sincere desire to furnish satisfactory accommodations to our colored patrons, as well as to the whites. On our more important trains, all equipment must be vestibuled, and especially constructed for these trains. Some of the cars assigned to colored patrons are now having smoking rooms for these patrons placed therein, and others will be so arranged as rapidly as it is convenient to show them. With assurance of my appreciation of your having taken the trouble of calling my attention to these matters. I am, etc."

I believe we should constantly call attention to these conditions until they are radically changed.

(Signed) BOOKER T. WASHINGTON.
Tuskegee Institute, Alabama,

March 7, 1914.

Springfield, Mass. Republican

December 1914

Just why all "Jim Crow" laws get by the United States supreme court without having their constitutionality passed upon is a mystery. It seems impossible to force the issue squarely upon that tribunal. In the latest instance of the Oklahoma statute, the supreme court sustains the refusal of the lower court to enjoin the law's operation, but declines to reaffirm the lower court's judgment in support of its constitutionality. The majority of the judges succeeded in evading that issue on the ground that the rights of the Negroes were set forth "too generally." The opinion

New York Sun

December 1914

"JIM CROW" LAW INVALID.

Decision Based on Lack of Sleepers and Diners in Oklahoma.

WASHINGTON, Nov. 30.—The Supreme Court held to-day that the "Jim Crow" car law of Oklahoma, which permits railroads to carry sleepers and dining and chair cars for whites without providing "equal" accommodations for colored travelers, is invalid because it violates the Fourteenth Amendment to the Federal Constitution.

The decision means that railroads that go through Southern States will either have to discontinue separate coaches or run coaches for negro citizens and provide equal accommodations at stations and other resting places.

Minneapolis, Minn.

SENTINEL

DEC 1 1914

SUPREME COURT JUSTICES HOLD NEGRO LAW INVALID

WASHINGTON, D. C., Nov. 30.—A majority of the Supreme court on Monday joined in an opinion that the Oklahoma "Jim Crow" law proviso permitting railroads to furnish sleeping, dining and chair car accommodations only to the white race was unconstitutional, but they did not so decree, because of imperfections in the petition on which the case reached the courts.

The case was one in which five negroes, claiming the entire law was unconstitutional, sought an injunction to restrain five railroads in Oklahoma from enforcing it. The Oklahoma federal courts dismissed the petition, holding the law constitutional. The majority of the court affirmed the dismissal on Thursday because the negroes had not shown they had applied to the railroads for accommodation under the law or that the railroads had notified them they would be refused certain accommodations.

The majority, through Justice Hughes, stated, however, that they could not agree with the Oklahoma court that the proviso as to sleeping, dining and chair cars was constitutional. A minority, consisting of Chief Justice White and Justices Holmes, Lamar and McReynolds, concurred merely in the order of affirmance, but expressed no views on the constitutional question.

Boston, Mass. Transcript

30 November 1914

JIM CROW LAW STANDS

Oklahoma Injunction Refused by Supreme Court

Court Does Not Pass on Law's Constitutionality

This Because Rights Are Listed Too Generally

Majority Opinion Is That Law Is Invalid

Washington, Nov. 30.—The judgment of the Oklahoma Federal courts which refused to enjoin the operation of the Oklahoma Jim Crow law was affirmed today by the Supreme Court. The lower court held the law constitutional notwithstanding the section which provides sleeping, parlor and chair cars for white persons alone.

Although a majority of the court expressed the opinion that the law was invalid, that was not decreed because of the error in the previous proceedings.

Justice Hughes, speaking for a majority of the Supreme Court, declined to agree with that contention, however, and a decree was not issued because the case set forth the rights of the negroes too generally.

Chief Justice White and Justices Holmes, Lamar and McReynolds joined the other justices in affirming the decision of the lower court, but did not concur with the holding on constitutionality as it refers to railroad cars.

The "Jim Crow" law of Oklahoma was upheld by the United States Circuit Court of Appeals in a decision handed down at St. Louis, Mo., on Jan. 28, 1914. The Oklahoma "Jim Crow" law requires railroads there to provide separate coaches for the whites and negroes, equal in every way in comfort and service. Five negroes brought action to enjoin the railroads from enforcing the law. They lost in Federal District Court, which went so far as to hold that railroads need not furnish sleeping cars for the negroes if there was not sufficient demand for negroes for such accommodation.

The "Jim Crow" issue was raised in a suit decided by the Supreme Court in 1910, when the court refused to enjoin the Chesapeake & Ohio from providing separate accommodations for whites and blacks. Justice McKenna, in his opinion, cited the Walton steamship case, from Louisiana and quoted the words of Chief Justice White, holding that "inaction by Congress is equivalent to a declaration that interstate commerce shall remain free and untrammeled." This was accepted by the court as demonstrating that the contention of Chiles the plaintiff was untenable. "In

other words," said the court, "it demonstrates that the interstate commerce clause of the Constitution does not constrain the action of carriers, but, on the contrary, leaves them to adopt rules and regulations for the government of their business, free from any interference except by Congress. Such rules and regulations, of course, must be reasonable, but whether they be such cannot depend upon a passenger being State or interstate."

CAN BUILD ON RECLAMATION TRACTS

Decision Prohibiting Railroad Construction Across Projects Is Reversed by Supreme Court

Washington, Nov. 30.—The decision of the ninth United States Circuit Court of Appeals, that railroads cannot be constructed across reclamation projects, even with the authorization of the entrymen, without the consent of the Secretary of the Interior, was reversed today by the Supreme Court, in the suit of the Government to enjoin the Minidoka & Southwestern Railroad Company from extending its line across the Southside Minidoka project in Idaho.

New York Times

December 1914

JIM CROW LUXURY INVALID. DECREE NOT ENTERED

Supreme Court Rules on Oklahoma Law, but Errors Prevent Decree.

WASHINGTON, Nov. 30.—A majority of the Supreme Court today joined in an opinion that the Oklahoma "Jim Crow" law proviso permitting railroads to furnish sleeping, dining, and chair car accommodations only to the white race—the "luxury" clause—was unconstitutional, but because of imperfections in the petition on which the case reached the courts, no decree to that effect was entered.

Five negroes, contending that the entire law was unconstitutional, sought an injunction to restrain five railroads in Oklahoma from enforcing it. The Oklahoma "Jim Crow" law requires railroads there to provide separate coaches for the whites and negroes, equal in every way in comfort and service. Five negroes brought action to enjoin the railroads from enforcing the law. They lost in Federal District Court, which went so far as to hold that railroads need not furnish sleeping cars for the negroes if there was not sufficient demand for negroes for such accommodation.

The majority, through Justice Hughes, stated, however, that they could not agree with the lower court that the proviso as to sleeping, dining and chair cars was constitutional. A minority, consisting of Chief Justice White and Justices Holmes, Lamar and McReynolds, concurred merely in the order of affirmance, but expressed no views on the constitutional question.

In the opinion by the majority, Justice Hughes said that previous decisions that laws for separate coaches for the two races were constitutional were not questioned, adding:

"Substantial equality of treatment of persons traveling under like conditions cannot be denied."

ROCK ISLAND, ILL.

Argus

NOV 30 1914

JIM CROW IN OKLAHOMA IS HELD INVALID

Supreme Court Kills Law Segregating Whites and Blacks On Cars.

This Is Withheld Because the Plaintiffs Are Too General in Setting Up Rights.

Washington, D. C., Nov. 30.—The "Jim Crow" law in Oklahoma, segregating whites and blacks in sleeping, parlor and chair cars, is invalid, according to a supreme court decision today.

The court did not enter a decree because in the suit to enjoin enforcement of the statute the negro plaintiffs had been too general in setting up rights of negroes.

The appeal of George Henry, New York banker, from a decision of the New York courts that he must return to Washington to answer charges of contempt of congress for refusal to give information to the money trust investigating committee was dismissed by the supreme court.

DR. WASHINGTON URGES BETTER RAILROAD ACCOMMODATIONS FOR COLORED PEOPLE

The Journal & Guide

3-7-14

Calls Attention Of Railroad Officials To Unjust Treatment Of Colored People On Many Railroads

Editor Journal and Guide:

Some months ago, I sent out marked copies to railway officials in every part of the South of an article written for the Century Magazine in which I referred to the unjust treatment of colored people on railroads. In addition a letter was written, calling attention to the portion of the article marked.

It might interest those of our people who are seeking to prove the bad conditions that exist on many railroads, to read some of the replies from these officials to these communications. In one case, for example, the president of the railroad had a copy of the "Century" article placed in the hands of every officer on his road.

I am asking that you publish the extracts from these letters, because a little later on it is my purpose to urge our people to set aside one day in the year that might be called "Railroad Day" upon which throughout the country wherever conditions demand it, we can go to the officials of the railroads and speak to them about the bad conditions that exist with a view of our co-operating with these railroad officials in order to bring about better conditions.

I think the extracts from these letters indicate that the railroad officials are now in a state of mind where in most cases they are willing to recognize the justice of our claim for better things; in fact, some of them have already acted.

When the proper time comes we should take up with the offi-

cials concerned, the matter of accommodations provided in restaurants, sitting rooms, street cars steam cars, steamboats, etc. For the present, I am giving you these extracts for publication in order to show that there is an opportunity, if we go about it in the right way, to do away with what has been a long standing source of complaint.

Bound to Receive Attention

Mr. C. J. Millis, Assistant to President William Sproule, of the Southern Pacific, writes: "Am very much obliged by your letter of October 9th transmitting your printed article 'Is the Negro Having a Fair Chance,' and note with interest your reference to transportation facilities afforded in the South. These matters are bound to receive attention and we hope the objections will be overcome in due course.

Already Making Improvement

Mr. William J. Black, Passenger Manager of Atchison, Topeka & Santa Fe Railway System, wrote as follows: "I am in receipt of your favor of the 8th inst., enclosing an article by yourself recently published in the 'Century' Magazine, which I have read with interest. You will, no doubt, be pleased to learn that the Santa Fe has already provided equipment for colored travel in conformity with the plan outlined in your article. At the present time 75 per cent of the coaches used in Oklahoma and Texas for colored people have two compartments, one being a smoking compartment and the other for men and women, and they have separate toilet facilities for each sex. As new cars are

purchased, or present ones are converted, they will be of that type, and we expect before long to have all of our cars for colored traffic on the same plan."

Complaints Well-Founded

Mr. J. M. Parker, Receiver and General Manager, The Arkansas Louisiana and Gulf Railway Company, says: "I have your favor with enclosure, being marked copy of an article which recently appeared in the Century Magazine. I shall take pleasure in reading this article and from glancing through it, I am inclined to think that the statement that the Negro is not getting a square deal in the way of transportation facilities, is well-founded."

Appreciates Colored Patronage

Mr. W. Coughlin, General Superintendent, Missouri, Oklahoma and Gulf Railway Co. wrote: "I have carefully read the article to which you have called special attention and in connection therewith wish to say that while, no doubt there is ground for complaint at times, am inclined to the opinion that as a whole the situation alluded to is improving. In fact, accommodations for white and colored passengers on our motor car trains are identical. On other trains there is not much difference except in emergency cases where it becomes necessary to use temporary equipment that was not intended for passenger trains, but such cars as are used for the handling of both white and colored passengers, as well as employees on freight trains. I assure you that our company appreciates the patronage of the colored people, and that it is our desire to do what we can consistently for their comfort and convenience while traveling on our road."

Railways Not Philanthropists

Mr. W. B. Biddle, Receiver and Chief Traffic Officer of the St.

Louis and San Francisco Railroad writes: "I have read yours of October 10th and the pamphlet enclosed with a great deal of interest. I am quite sure that there is a disposition on the part of the carriers to do anything that they properly can to improve the conditions of the colored race. The conditions under which the carriers are operating at this time are in many respects, so burdensome as to leave very little opportunity for the adoption of any philanthropic improvements. I shall be very glad, however, to discuss this subject with the executive officers of other lines as opportunity offers."

Does Not Apply to Missouri Pacific

Mr. B. F. Boush, President of The Missouri Pacific Railway Co., states: "The conditions cited in the article are not applicable to the Missouri Pacific. It is a fact that separate cars are maintained on the St. Louis, Iron Mountain & Southern for the Negroes, but my information is that they are cleanly kept and adequate to meet all demands. However, I thank you for bringing the matter to my attention."

Are Making Improvements

Mr. N. M. Leach, Traffic Manager, The Texas & Pacific Railway Company, writes: "In recent times the T. & P. Railway has made some improvement in the service afforded our colored patrons, and we are making an effort to further improve this service. We have received a number of expressions of appreciation from our colored patrons in Louisiana and Texas. I have read all of your article with a great deal of interest."

Given Careful Consideration

Mr. W. G. Van Vleck, writing for the president, Mr. W. B. Scott, of the Sunset-Central Lines, says: "The matters referred to in your letter October 10th have been given very careful consideration by these Lines. A few months ago we installed in our Sunset Express all steel equipment and precisely the same character of car is used for colored as well as white passengers. Later on we

did the same thing with Nos. 7 and 8, and still later Nos. 11 and 12. These cars are all-steel and all of the same kind. On the Central Lines North of Houston, trains 15, 16, 17 and 18, and on

Letter Forwarded to Mr. Gould

Mr. George H. Taylor, Vice-President of the International & Great Northern Railway Company, writes as follows: "I have your letter of the 11th instant, addressed to Mr. Frank J. Gould, enclosing copy of your article recently printed in 'The Century Magazine' entitled 'The Greatest Source of Dissatisfaction to the Negro in the South,' namely, Railway Travel conditions. I have forwarded your letter and its enclosures to Mr. Gould in France."

Statement Entirely Right

Mr. J. E. Franklin, President of the San Antonio, Uvalde & Gulf Railroad, replies as follows: "I think you are entirely right in what you say in the pamphlet you enclose me. So far as this Railroad is concerned, we are in a section of Texas where there is not much Negro travel, but we are giving the Negroes just as good accommodations as we are giving the whites."

Appreciates the Colored Travel

Mr. J. C. Haile, General Passenger Agent of the Central of Georgia Railway Company, writes: "Yours of recent date, with marked copy of an article which recently appeared in the Century Magazine, has been duly received. The same will be given consideration and I hope to write you further later. The management of this company appreciates the colored travel and we desire to handle it satisfactorily."

Subject Receiving Attention

Mr. A. A. Matthews, Superintendent of the Missouri, Kansas & Texas Railway System, says: "I have read with interest your article entitled, 'Is the Negro Having A Fair Chance,' which you

enclose with your letter of October 9th. The subject of better accommodation for Negro passengers is one that is receiving much thought by the railroads of the South and I think, as our lines are improved and better coaches are used, that the Negro will share in the benefit. As for the Texas Central, except for a short distance, we very seldom handle Negro passengers but when we do their compartment in our coaches is upholstered the same and receives the same care as the part provided for white passengers."

Received the Article

Mr. C. B. Rhodes, General Passenger Agent of the Georgia, Southern & Florida Railway Company, replies as follows: "I wish to acknowledge receipt of your letter of the 13th inst., enclosing marked copy of an article of yours which was recently printed in the Century Magazine, for which please accept my thanks."

Look Carefully Into the Matter

Mr. Albert T. Perkins, President of the New Iberia and Northern Railway Company, writes: "Your letter of October 8th with copy of article reprinted from Century Magazine was duly received, and I have read the article through with care and much interest. I have realized to some extent the situation as to railroad accommodations which you described, and hope I have been instrumental in some cases in bettering certain features on various roads in Texas, Louisiana, etc., in which I have been concerned. As to the New Iberia and Northern Railroad, the passenger service is for the most part given by large steel motor cars in which the accommodations for whites and blacks are equipped in identically the same manner. Your letter will of my examining with some greater care the arrangements on several other railroads with which I am connected; and I thank you for sending me your article."

Will Be Glad to Read It

Mr. C. H. Hix, president of the Norfolk Southern Railway Company, says: "This is to acknowledge receipt of yours of the 14th

with enclosure, which I will be glad to read."

Policy is to Improve

Mr. W. W. Finley, President of the Southern Railway Company, states: "I have noted what you say as to the treatment of Negro travelers on railways in the South. The matter of accommodations for Negroes is one which has been having the attention of this Company and it is our policy to improve those accommodations so far as it is practicable for us to do so."

I am sure your readers will be interested in the above extracts, and in those which are to follow next week.

(Signed)

BOOKER T. WASHINGTON.
Tuskegee Institute, Alabama.

February 28, 1914.



Dr. Booker T. Washington

RAILROAD DAY RESULTS

It is yet too soon to forecast the practical results of the observance of Railroad Days. We are convinced, however, that the movement was timely and will do much to rectify the evils which the colored traveling public in the South endures. Railroad Day was observed in the city of New Orleans. A large gathering of our people assembled at Central Congregational Church and addresses were delivered by representative men and an appeal issued to the public and the railroads urging better accommodations. There are one or two observations on this movement that are pertinent at this time. We found that some Negroes were actually afraid to ally themselves with the movement. To use an old expression but nevertheless one that covers the point, they were "chicken-hearted." This weakness of some Negroes affects the whole race situation, and we had just as well admit it as a weakness of our people, and on this the white man banks in a very large measure in putting through any program that may be obnoxious or unjust to the Negro. Many Negroes are "afraid of their shadow," especially if there is some white man to be faced.

Seeking better railroad accommodations is a movement that every self-respecting Negro should be interested in. He owes it to his mother, sister, his wife and his children. But there were a sufficient number of calm, well-poised men to carry the meeting forward. What was interesting and encouraging as we proceeded with the movement was that the railroad people showed every willingness to give a respectful and sympathetic hearing to our complaints. New Orleans is a railroad centre. There was not one of the high officials of the large Trunk Lines entering New Orleans but that accepted suggestions and appointed a time when he would hear a committee present the complaints of our people. This in itself was significant. There were those who felt that this might be denied. But at once the replies that came from the general offices were courteous, respectful and cordial and in every case the committee was received with all courtesies that could be expected and the complaints were heard and promises were definitely made to correct the abuses. Two things were apparent: The high railroad officials had not had their attention called to the situation as it really is; they did not know of the many indignities that we suffer and inconveniences that are heaped upon us by the train crew and others responsible for the immediate operation of the train. Again, they did not know but that we were satisfied with the conditions and as soon as the matter was brought to their attention in a straightforward, business-like

way, the promise was given that the evils would be corrected.

Two or three points were emphasized: there must be separate toilets for men and women. This would appeal to any gentlemen as the thing to be done. Separate smoker for colored passengers, so that first-class colored passengers would not suffer inconveniences in the matter and then provision for meals and sleeping car accommodation. We will be able to report on this matter in detail later. But it now seems very clear that this program could have been put through in

every city in the South with gratifying results.

A step further, no doubt, should be taken while we are on this matter. At least a permanent committee should be organized to whom our people could refer definite individual complaints of insults or inconveniences. This committee having been put in touch with railroad officials and having shown the spirit that all that they are anxious for is the betterment of the service and the securing of that which is rightfully theirs, can handle the cases better than can individuals themselves. This permanent committee would form a connecting link between the Negro traveling public and the railroads and could be of large service.

Another step should be taken to educate the colored traveling public to make tolerable the accommodations for our women. This is to say, we should educate the Negro porter to understand that in the exercise of his daily duties he must treat colored women courteously and gentlemanly and protect them in every way possible. We should educate the Negro traveller to the observance of the ordinary decent courtesies towards our women travelling. We had just as well be frank with ourselves; some of the objections to the Separate Car come from the lack of manners on the part of some of our people. Now this will be a hard and difficult task, but it is worth while. These local permanent committees could get our literature in the way of pamphlets and cards and urge through these the matter of self-respect and ordinary decency. A program of this carried through would help to lift to the ocean level the entire life of our race.

As reports come in, Dr. Booker T. Washington and others who have taken the lead in this matter should be gratified with results.

Jim Crow Cases and Laws - 1914

OUR SIDE OF THE CONTENTION

~~Our side of the contention~~
 The Negroes of the country are making contention, and justly so, for better accommodations on street cars and railway trains. Improvements have been made. Other improvements will be made as we press our case. But there is another side which we must not lose sight of. We refer to the improvement of the conduct of the disorderly, loud mouthed and offensive Negro who adds much to the disagreeableness of the separate car. The improvement of this phase of railway service is largely in the hands of the Negroes themselves. It is gratifying to report that a movement along this line has been started in several sections, but the most effective work in this direction is being done by the Rev. James T. Gaskill, of Durham, N. C., who has organized what he calls the Royal Sanitary League.

The Rev. Mr. Gaskill first conceived the idea of improving conditions prevailing around passenger stations when he visited a station in the eastern section of North Carolina and saw how conditions were. He took the matter up with the heads of several railway companies and they assured him of their support, after which he formed the league. It is his purpose to get every Negro in the South if possible to become a member and to uphold the principles of the organization. Already many have been listed in this cause. As the result of this very practical movement some tangible improvements are at hand.

It is announced within the course of the next few weeks there will be seen in the colored department of every waiting room or passenger station in North Carolina and other Southern States, neat little folders on which is an appeal to the reader to act in a genteel manner around that place and to avoid making any sort of disturbance. These folders are being put out to the various railroad companies by the Royal Sanitary League of which the Rev. James T. Gaskill is the founder.

We congratulate Brother Gaskill on this movement and promise him our support to make the Royal Sanitary League effective in every way possible.

Published by the Negroes of the South

1914

Jim Crow Cars in the Supreme Court

With its usual happy faculty of getting out of a tight situation whenever possible the Supreme Court of the United States has rendered a decision in the Oklahoma Jim Crow case which has only academic value at present, although it may presage important

decisions in future.

The court has already decided that there is no denial of the "equal protection of the laws" when railways furnish equal accommodations for whites and negroes, and such decision stands. In the Oklahoma case the problem was different. The Jim Crow law provided that negroes should not be admitted to sleeping cars and dining cars, but made no provision that equal accommodations should be furnished to negroes on the ground that these were luxuries which did not come under the law. It appears that in preparing the case lawyers for the negroes omitted some important technicalities, so that no formal order is issued, but that may be expected when a new case is presented in proper form.

The railways were interested to the extent that they did not want to provide equal accommodations of "luxuries" for negroes and preferred to have the entire law declared unconstitutional. They said that it would be ridiculous and extravagant to double up the diners and sleepers and parlor cars, seeing that so few negroes asked for such accommodations.

It is a curious fact that Oklahoma, with the most composite population of any of our States, should be involved in this legislation. It has a constitution which is in reality a code of laws and pretends to be socialistic in almost everything. Over a third of its population contains Indian blood, which is not discriminated against in the Jim Crow law, although it takes an expert in ethnology to decide between persons of mixed Indian and white and mixed negro and white blood, and often the person contains all three strains.

THE JIM CROW COMPROMISE

True to its time honored and age worn custom the United States Supreme Court dodged as far as possible the issue in the Oklahoma Jim Crow case. It went further in behalf of the colored citizen seeking relief from the Jim Crow car persecution of the South only in that it declared by a bare majority that the railroads must furnish equal accommodations. But for that grudging justice the black man must feel thankful until another day. The burden of complaint and prosecution still rests and will continue to rest upon the race so long as the Supreme Court and the Interstate Commerce Commission refuse to act positively. So long as the Federal authorities permit and sanction separate race accommodations on the Southern railways, so long will there be unequal accommodations. This will be true for two reasons. White men own and operate those railways. They will not be disposed unless forced to give to the plodding yet persecuted black man the same and as fine accommodations for his money as they would for their own race. Secondly it is to their own great financial interest not to give the same accommodations to colored citizens. Comparatively few colored people ride on the railroads in any State. Fewer still ride on the railroads for any considerable distance. To furnish separate but equal sleeping and dining accommodations would be disproportionately costly and in most cases ruinous. It is for this reason in large measure that the Southern railroads have forced the colored passengers to occupy the end next to the engine of the smoking car. Substantial justice will never be done the colored citizens of the Southern States until the Jim Crow car is abolished.

THE DECISION of the United States Supreme Court is ONLY A COMPROMISE and an evasion.

JIM CROW IN ILLINOIS.

"THIS CAR IS FOR WHITE PASSENGERS ONLY" was displayed, not in Alabama or Louisiana, but in the southern part of this state—Illinois—on the trains running between Carbondale and Cairo. Chairman Quan of the public utilities commission immediately took the matter up, with the officials of the road writing them the following letter: "A complaint has been made to this commission that the Illinois Central Railway's Company's train leaving Cairo at 3:45 p. m. and the train leaving Carbondale at 7 o'clock a. m. have posted in the cars a sign reading, 'This car for white passengers only.' There surely is some mistake about this, as the commission cannot believe that any railroad in the state of Illinois is discriminating in this manner. Please let us have an immediate reply in regard to this." More work for the N. A. A. C. P. The South is trying to move bag and baggage up North. So it is time we were making a move.

Special to THE NEW YORK AGE.

HOPKINSVILLE, Ky., June 23.—It took the jury in the case against the Louisville and Nashville Railroad for failure to furnish proper accommodations for its colored passengers just fifteen minutes on Wednesday, June 17, to return a verdict of guilty against that corporation and assess against it a fine of \$500. The jury was composed entirely of white men, largely farmers, upon whom strenuous pressure was applied by the counsel for the railroad in their arguments that the Negroes were using this case as an entering wedge to secure social equality between the races, and all authorities agreed that the verdict is the greatest victory achieved by the colored people of the South in defense of their rights in forty years.

The railroads contested every inch of the ground, bringing into action some of the best legal talent in the State to defend them from the indictment, and these lawyers went to extremes in appealing to the prejudices of the jury, but their efforts were without avail. The best element of the white people, including nearly every business man in Hopkinsville and the leading farmers in the country surrounding, gave their moral and active support to the movement, which was inaugurated by Phil H. Brown, editor of *The Saturday News*, formerly assistant director of publicity at the Republican National Committee, and Judge John Feland, for some time judge of one of the Kentucky circuit districts. The case had the support of all of the colored people of Christian County.

Railroads Indicted.

Personal appeals were made by Judge Feland and Mr. Brown to the management of the railroads and to the State Railroad Commission, but no results accrued. At the last term of Christian County Circuit Court the matter was

colored passengers shall be equal in every respect to those set apart for the white people is so specific that the best legal authorities in Kentucky have given it as their opinion that the verdict will stand.

There is little doubt that the verdict brought to the attention of Commonwealth Attorney Denny P. Smith, who directed the grand jury to make an investigation, which resulted in the indictment of the L. & N. Railroad Company in six counts, the I. C. in two counts and the T. C. in three.

There is little doubt that the verdict against the L. & N. will be sustained by the Court of Appeals, to which it will be carried. The law directing that the accommodations provided for

RAILROAD DAY RESULTS.

It is yet too soon to forecast the practical results of the observance of railroad day. We are convinced, however, that the movement was timely and will do much to rectify the evils which the colored traveling public in the south endures, says the Southwestern Christian Advocate. Railroad day was observed in the city of New Orleans. A large gathering of our people assembled at Central Congregational church and addresses were delivered by representative men and an appeal issued to the public and the railroads urging better accommodations. There are one or two observations on this movement that are pertinent at this time. We found that some negroes were actually afraid to ally themselves with the movement. To use an old expression but nevertheless one that covers the point, they were "chicken-hearted." This weakness of some negroes affects the whole race situation, and we had just as well admit it as a weakness of our people, and on this the white man banks in a very large measure in putting through any program that may be obnoxious or unjust to the negro. Many negroes are "afraid of their shadow," especially if there is some white man to be faced.

Seeking better railroad accommodations is a movement that every self-respecting negro should be interested in. He owes it to his mother, sister, his wife and his children. But there were a sufficient number of calm, well-poised men to carry the meeting forward. What was interesting and encouraging as we proceeded with the movement was that the railroad people showed every willingness to give a respectful and sympathetic hearing to our complaints. New Orleans is a railroad center. There was not one of the high officials of the large trunk lines entering New Orleans but that accepted suggestions and appointed a time when he would hear a committee present the complaints of our people. This in itself was significant. There were those who felt that this might be denied. But at once the replies that came from the general offices were courteous, respectful and cordial and in every case the committee was received with all courtesies that could be expected and the complaints were heard and promises were definitely made to correct the abuses. Two things were apparent: The high railroad officials had not had their attention called to the situation as it really is; they did not know of the many indignities that we suffer and inconveniences that are heaped upon us by the train crew and others responsible for the immediate operation of the train. Again, they did not know but that we were satisfied with the conditions and as soon as the matter was brought to their attention in a straightforward, business-like way, the promise was given that the evils would be corrected.

Two or three points were emphasized: There must be separate toilets for men and women. This would appeal to any gentleman as the thing to be done. Separate smoker for colored passengers, so that first class colored passengers would not suffer inconveniences in the matter and then provision for meals and sleeping car accommodation. We will be able to report on this matter in detail later. But it now seems very clear that this program could have been put through in every city in the south with gratifying results.

results.

A step further, no doubt, should be taken while we are on this matter. At least a permanent committee should be organized to whom our people could refer definite individual complaints of insults or inconveniences. This committee having been put in touch with railroad officials and having shown the spirit that all that they are anxious for is the betterment of the service and the securing of that which is rightfully theirs, can handle the cases better than can individuals themselves. This permanent committee would form a connecting link between the negro traveling public and the railroads and could be of large service.

Another step should be taken to educate the colored traveling public to make tolerable the accommodations for our women. This is to say, we should educate the negro porter to understand that in the exercise of his daily duties he must treat colored women courteously and gentlemanly and protect them in every way possible. We should educate the negro traveler to the observance of the ordinary decent courtesies towards our women traveling. We had just as well be frank with ourselves; some of the objections to the separate car come from the lack of manners on the part of some of our people. Now this will be a hard and difficult task, but it is worth while. These local permanent committees could get our literature in the way of pamphlets and cards and urge through these the matter of self-respect and ordinary decency. A program of this carried through would help to lift to the ocean level the entire life of our race.

As reports come in, Dr. Booker T. Washington and others who have taken the lead in this matter should be gratified with results.

Providing for colored patrons; the officials higher up will leave the operating details naturally to minor officers, the Negro feels that to complain means personal retaliation, and thus the whole question is left to take care of itself. But this condition affects the entire race relations and, therefore, cannot be left unattended. The law providing for separate apartments is an expression of the sentiment of the community.

Whatever of injustice, of hardship, of humiliation the Negro suffers as a result of a partial enforcement of the provisions of the law, he naturally ascribes to the makers of the law. Thus through wrong methods of operating a law promising one thing and giving another, he gets a poor impression of the best sentiments of a Christian people. Therefore, we protest against existing conditions in public travel and appeal to an enlightened public sentiment to exert itself in favor of justice, decency and fair play in the operation of separate car laws. We ask not for their repeal but for an honest and impartial enforcement of them, for a separation that separates, for a separation that does not mean discrimination, deprivation, humiliation and race estrangement.

It has been said that better accommodations for Negroes would be too expensive for the railroads. If he pays as much per mile for ser-

vice as anyone else and gets less in return, the conclusion must be that he is paying for what others are getting. Certainly the chivalry and pride of the Anglo Saxon would not countenance such a thought for a moment. The fair thing then to do is to so arrange the basis of expense to the general public that every patron can be fairly dealt with by the carriers.

This is a vital question. It has to do with the self-respect and development of a race, with the loyalty of a people to the community interests, with the estimate one people will put upon the sense of justice and fair play of another. Let us then meet the responsible heads of the roads and talk this matter over with them freely, frankly and intelligently, showing wherein lies the injustice and failure of employees to live up to their duties in the operation of the law, and let us put on an educational campaign in home, school, church and other public gatherings in the interest of improved public morals and manners, civic pride and racial ideals that wherever our presence may be an influence for the purest and best may be felt.

Jim Crow Cases and Laws - 1914

"RAILROAD DAYS"

The Tuskegee Student

With reference to the observance of "Railroad Days" about which I have already written you, it occurs to me to suggest to committees which may be appointed to present our grievances a plan of action.

While I do not want to encourage any body of our people to move in this matter unless they feel their complaints are amply justified by conditions in their locality, we should bear in mind that railway officials are busy persons and whatever we say to them should be definite and to the point. For that reason I suggest the following program of protest:

First.—A statement of present conditions.

Second.—A statement of conditions desired.

I believe that the following statement covers pretty well the conditions of which we have had reason to complain as well as the conditions we should like to see enforced. If any, or all of these conditions exist in your community, I urge upon you to see that they are brought to the attention of the proper officials.

1. PROPER ACCOMMODATIONS IN RESTAURANTS CONTROLLED BY RAILROADS

A. Present Conditions

I. Colored persons can purchase no food on trains in the South in the majority of cases. This makes it necessary for them to try to obtain food at the railroad restaurants.

II. They are seldom permitted to buy food at railroad restaurants.

III. If they are allowed to purchase food at these restaurants, they must take the food out of the place, be sent to some room not properly cared for, or be kept waiting at the lunch stand until it is almost time for their trains to leave.

IV. Colored restaurants are seldom near enough to the depots to be of any service to the passengers.

B. Conditions Desired:

(a) In Particular:

I. Opportunity to purchase food at railroad restaurants so that colored passengers may claim the service, not as a favor grudgingly given, but as a privilege to which they, like all other passengers, are entitled, and without paying higher prices.

II. Proper provision in these res-

taurants so that colored passengers may be served promptly and courteously, always with a view of their having the same time to eat their meals as other classes of passengers have.

2. PROPER ACCOMMODATIONS IN SITTING ROOMS IN THE DEPOTS CONTROLLED BY RAILROADS

A. Present Conditions:

(a) Waiting Rooms, Alone—

Colored waiting rooms,

- I. Are not kept clean.
- II. Are usually too small.
- III. Seldom are built so as to permit proper ventilation.
- IV. In winter, are very often without fires.

V. Seats are often of the most uncomfortable character.

VI. Seldom offer any toilet comforts for colored women who travel in most cases conveniences for washing the face and hands and preparing the toilet, generally, are absolutely unheard of.

VII. In almost every case, the accommodations denied colored passengers, as indicated above, are given to other passengers in other waiting rooms at the same depots.

(b) Waiting Rooms In Connection With Employees of the Railroads—

VIII. In a great number of cases, ticket agents will not sell colored people tickets until all other passengers have been served, even though colored passengers have been standing at their windows long before the arrival of the most favored class of passengers.

IX. The harshness of speech of many ticket sellers, directed studiously and specifically to colored passengers, is provocative of needless friction and bitterness, and is one of the most grievous burdens laid upon colored travelers.

B. Conditions Desired:

I. Clean waiting rooms.

II. Rooms large enough to accommodate comfortably all the colored passengers.

III. Properly ventilated waiting rooms.

IV. Efficient janitor service as is provided for passengers of the most favored class.

V. Comfortable seats.

VI. Cleanly kept toilets with necessary comforts for women who travel.

VII. Ticket agents who will not needlessly insult colored passengers who ask for tickets.

VIII. Such regulations for the government of railroad ticket offices, or such increase in the number of ticket agents, as will permit colored passengers to purchase their tickets in ample time to allow the former to check their baggage and go into their trains without needless friction and bitterness.

3. PROPER AND JUST ACCOMMODATIONS ON RAILROADS

A. Present Conditions:

I. Inferior equipment of cars, embracing—

1. In many cases, but half of a car, the other half being either a baggage compartment or a smoker for white men.

2. In most cases, but one toilet for men and women.

3. Toilets without conveniences for washing the face and hands.

4. Dilapidated and worn-out cars.

5. Cars without any conveniences for sleeping. In the South, colored passengers are prohibited from riding in sleeping cars, even when they hold sleeping-car tickets.

6. Cars without smokers for colored passengers.

7. Cars without conveniences for the purchase of food.

II. Annoyances and Embarrassments—

1. Location of news "butchers" in Negro coaches.

Since these agents sell cigars, papers, and magazines, the colored coach is constantly being invaded by white men who usually light their cigars and begin smoking before leaving the car, thereby making a smoking car of the only car the Negroes have.

2. Use of the colored coach to transport section hands from one point to another on the road.

3. Failure to keep cars clean.

4. Permitting conductors and news "butchers" to prohibit lunch venders at way stations to bring food into cars for colored passengers.

B. Conditions Desired:

I. Cars equipped as for white passengers, to include—

1. At least one compartment or car for colored passengers, separate from the baggage car and from the smoker for whites.

2. Separate toilets for men and women, each properly equipped.

3. The same class of cars as used for the most favored class of passengers.

4. A smoking compartment for colored men.

5. Such changes in car construction or equipment as will provide either sleeping accommodations or reclining-chair cars.

6. Such changes in car equipment or regulations as will permit colored passengers to purchase food on trains.

7. Steel cars for colored passengers wherever steel cars are used behind or before Negro coaches, or before and behind them.

8. Removal of news "butchers."

9. Use of separate car or compartments for the transportation of section hands of all races, so that the colored coach need not be employed for this purpose.

10. Clean cars.

11. Permission for lunch venders to sell lunches to colored passengers in their cars, that is, permission for them to enter these cars.

12. Some authority to whom these matters may be referred, where friction arises, and who will, in good faith, investigate and adjust them.

4. IN GENERAL, CONDITIONS DESIRED ARE:

I. The same class and quality of accommodations for colored passengers as are provided for the most favored class of travelers.

II. Such regulations as will protect colored passengers from the rudeness and insults of employees of the railroad.

III. Some definite authority to whom these matters may be referred, where friction arises, and who will, in good faith, investigate and adjust them.

All those who are going to act on the suggestions to make a united effort to bring about better railroad and other traveling facilities, should not omit to remind our people that they have a duty to perform as well as the railroads.

First, our people should try to keep themselves clean and presentable when traveling, and they should do their duty in trying to keep waiting rooms and railroad coaches clean.

Second, it should be borne in mind that little or nothing will be accomplished by merely talking about white

people who are in charge of railroads, etc. The only way to get any results is to go to the people and talk to them and not about them.

(Signed) Booker T. Washington.
Tuskegee Institute, Alabama,
May 1, 1914.

"RAILROAD DAY" ECHOES

Some Results of the Effort to Secure Better Accommodations for Colored People on Railroad Trains and Other Public Conveyances

Washington, D. C., July 10, 1914. Reports received in this city indicate that "Railroad Day" observance, suggested and urged by Dr. Washington, has not been in vain. It is too soon, however, to make up any definite estimate of the real benefits which colored people of the United States are to receive as a result of the combined protest of the race against the separate car laws, as at present enforced in the Southern States. But it is certain that much future good will result from the movement. Below are set down reports from a few of the cities which observed the day:

Washington, D. C.

While there was no general observance of "Railroad Day" in Washington, nor any committee appointed to wait on the railroads, a few colored ministers of the city preached on the subject of better accommodations for colored passengers.

Cadiz, Ky.

A committee was appointed to present the complaint of the colored people to the Louisville & Nashville and the Illinois Central Railroads. A special resolution commending the president and officials of the Cadiz Railroad Company for its treatment of colored passengers was also adopted.

Louisville, Ky.

Representative colored citizens called on the General Passenger Agents of Louisville and conferred with them relative to better railroad accommodations for colored passengers. The committee was very cordially received and a satisfactory and lengthy conference was held. The agents admitted that discriminations do exist, but claimed that they are due to public sentiment and consequent legislation.

First, our people should try to keep themselves clean and presentable when traveling, and they should do their duty in trying to keep waiting rooms and railroad coaches clean.

Second, it should be borne in mind that little or nothing will be accomplished by merely talking about white

asked to report any violations of the rules so that steps may be taken to right matters. It was promised that the matter of providing meals on railroad trains for colored passengers would be taken up with the different officials in the hope that something can be done to better conditions.

Petersburg, Va.

A small committee met in the office of The Colored Virginian and signed a protest against present railroad facilities for travel now given colored passengers in the South.

Spokane, Washington

The Colored Men's Business League of Spokane addressed a letter to the Trans-Continental Passenger Association of Chicago, urging the body to use its influence to improve the conditions complained of by Mr. Washington.

The League took occasion to thank the Association for the fact that the conditions of travel complained of by colored passengers in the South do not obtain in the State of Washington.

Hattiesburg, Miss.

A committee adopted a "Bill of Complaints" and presented it to the Superintendents of the Gulf & Ship Island and the Mississippi Central Railroads. They mailed copies to the New Orleans & Northeastern and the New Orleans, Mobile & Chicago Railroads.

The committee called on the officials of the first two railroads named, were cordially received, went over the complaints with the officers and were promised that conditions would be changed.

Jackson, Miss.

It is stated in Jackson that, as a result of "Railroad Day," Negroes of that State are filing petitions with the Railroad Commission, setting forth the contention that existing conditions of travel for colored people in the State are deplorable and protesting against discriminations practiced against their race on railroads.

Birmingham, Ala.

A large mass meeting of colored people met in the Metropolitan A. M. E. Zion Church of Birmingham, on Sunday, June 7th, under the auspices of the Birmingham Civic and Educational League to make protests against the discriminations made possible by the present separate car laws of the South. After listening to strong addresses on the subject by a number of prominent colored citizens

letters were addressed to the nine railroads entering Birmingham, to the State Railroad Commission, and to the United States Interstate Commerce Commission, calling attention to the many discriminations which are made against Negroes on public carriers, and asking for some remedy for the evils complained of.

New Orleans, La.

The most satisfactory reports thus far seen, however, have come from New Orleans, where the colored people, including their wide-awake chairman, Dr. Robert E. Jones, Editor of the Southwestern Christian Advocate, met in the Central Congregational Church and issued an appeal to the public and the railroads urging better accommodations for colored passengers.

The Times-Picayune (white) devoted considerable space to a report of the meeting; and it showed that committees were appointed to consult the representatives of the twelve railroads entering New Orleans. The opening words of the appeal, according to the Times-Picayune, were: "It is a matter of no small significance that the Negroes of the country under the leadership of the true and tried apostle of peace, Booker T. Washington, are gathered together today in their home towns and cities to invite national and local consideration of the public humiliation and injustice forced upon the race by the prevailing methods of operating the separate car laws."

Dr. Jones' modest editorial in his paper does not indicate the part which he took in working for the success of "Railroad Day," but it shows what was done. He said:

"What was interesting and encouraging as we proceeded with the movement was that the railroad people showed every willingness to give a respectful and sympathetic hearing to our complaints. New Orleans is a railroad center. There was not one of the higher officials of the large Trunk Lines entering New Orleans but that accepted suggestions and appointed a time when he would hear a committee present the complaints of our people. This in itself was significant. There were those who felt that this might be denied. But at once the replies that came from the general officers were courteous, respectful and cordial and in every case the committee was received with

courtesies that could be expected and the complaints were heard and promises were definitely made to correct the abuses. Two things were apparent: The high railroad officials had not had their attention called to the situation as it really is; they did not know of the many indignities that we suffer and inconveniences that are heaped upon us by the train crew and others responsible for the immediate operation of the train. Again, they did not know but that we were satisfied with the conditions and as soon as the matter was brought to their attention in a straight-forward, business-like way, the promise was given that the evils would be corrected. **

It now seems very clear that this program could have been put through in every city in the South with gratifying results."

What the editorial does not state, but which was true, nevertheless, was that Dr. Jones and his committee called on representatives of the Pullman Car Company and pressed their cause with so much dignity and zeal that the Division Superintendent requested that they send him a letter to be forwarded with one of his own to Chicago urging that sleeping car accommodations be provided for colored people, even if the drawing rooms must be split and berths sold at the regular rates.

The Race Under a New Debt to Dr. Washington

Dr. Washington has done many things for his race, and we are proud of them; but if he had done nothing else, colored people all over the United States, whether they accept his educational philosophy or not, must admit—and they are doing that freely—that by his manly and courageous course in publicly pointing out the injustices and indignities heaped upon colored passengers, and in trying to devise a workable method of removing them, he has laid us all under an eternal debt of gratitude.

Race Conference Says Good Word for President.
A race conference was held this week at the Mosmopolitan Baptist Temple, under the general direction of the Henderson Memorial Civil Rights League, of which Rev. Simon P. W. Drew is president. Many matters of moment to the Negro in legislation, federal patronage and material progress were discussed. In his opening address and through the resolutions adopted by the

conference President Woodrow Wilson was enthusiastically thanked for the appointment of Judge Robert H. Terrell to the municipal bench of the District of Columbia and for his friendly attitude toward the race, as reflected in his resistance of the attempted raid of anti-civil service "spoilsmen" upon the places held by Negroes under the general government. It was made plain that the action of the conference was not inspired by any political feeling or partisan bias, but its utterance came from a desire to let the world know that the Negro is patriotic, law-abiding, anxious for civic advancement, and is intelligent enough to deal sympathetically with those to whom the American people have confided the reins of government for the current quadrennium. Bishop Walters came in for many kind words during the conference. He was described as "a leader of sagacity, courage and fidelity."

It is difficult to understand why the railroad companies operating the so-called Jim Crow coaches would not gladly comply with the law requiring equal accommodations in such coaches. In that they may operate separate coaches they have won largely, and quite unfairly, even if considered necessary, owing to racial conditions and racial relations. The colored people have practically conceded the necessity for the coaches in face of discrimination, a thing which is no proper part of a government. They can not rest contented, however, under the double contempt, if we may so call it, that of Jim Crow coaches, and that of poorly equipped coaches. It will be remembered that the colored patrons pay the same fare as others pay, really making a third enforced disadvantage. The colored people are simply asking for well equipped coaches. If they pay for them why can't they get them?

WHAT WE SPEND ON RAILROADS

The Dallas Express says of the proposed Railroad Day Protest:

"Last year \$19,000,000 were spent for passenger service and \$400,000 for freight carriage on southern railroads by Negroes. The profit on the investment did not amount to the sum spent by the colored population; hence it follows that had the colored people staid off the railroad companies would have lost money. It thus appears that the patronage of the colored people is necessary to the success of the railroad business of the South. This is a pointer. Let the friends of decent travel use it in the coming fight."

As the late Bob Coles used to say a great many, too many colored people go a-paying the three cents a mile on the cars "jes' t' see how et feels t' walk 'er ride at th' same time." As to putting up the necessary money to compel the railroads to give them such miserable accommodations as the devlish Separate Car Laws make mandatory upon the railroads, they do not think for a moment of doing any such sensible thing.

D. OF C. DAILY SEES GOOD IN JIM-CROW CASE.
The legal petition to the Supreme Court in the Oklahoma case was declared to be full of imperfections; but the court, while deciding that because of these imperfections it could not consider the petition, yet stated that if it was permitted to go into the merits of the case it would have held the Jim Crow statute of Oklahoma unconstitutional. There is no doubt, therefore, that when this case, or the case of any similar Jim Crow law against which the Colored people of the South complain, is presented to the Supreme Court in due and regular form, the court will wipe it from the statute book of the State that has enacted it. Therefore, although this particular Oklahoma case has fallen by the wayside, the bringing of the case has not been altogether in vain. The Supreme Court has served warning upon the Southern legislatures that they have gone too far with their Jim Crow laws.

COURT UPHOLDS JIM CROW LAW

Advertiser
Circuit Court of Appeals Affirms District Decision Denying \$50,000 Damages to Colored Complainant

St. Louis, Mo., Jan. 28.—The "Jim Crow" law of Oklahoma was upheld by the U. S. Circuit Court of Appeals in a decision handed down here today.

The court affirms the decision of the District Court at Kansas City, which refused to award Dr. Wm. J. Thompson damages of \$50,000 because of an attempt to enforce the Jim Crow law against him.

Thompson, a negro, bought a ticket from Kansas City to McAlester, Ok., over the Missouri, Kansas and Texas Railway. He also bought a Pullman ticket. When the train reached the Oklahoma line Thompson was informed that he must leave the "white" car and enter a negro coach.

Thompson refused to leave the "white" car and was ordered off the train. A disturbance resulted and Thompson was arrested and fined \$15.

Jim Crow Cases and Laws - 1914

RAILROAD DISCRIMINATION SET BACK.

A grain of satisfaction comes from Christian County, Kentucky, for all of us who have been contending for a proper enforcement of the separate car laws of the Southern States, without conceding the justice or legality of these laws, in the outcome of the prosecution of the Louisville and Nashville Railroad, at Hopkinsville, in the Sixth Judicial District of the State. The outcome is bound to be of the greatest moment, because the Federal Supreme Court has decided that the States have a Constitutional right to make and enforce such separate car laws as to persons, while denying the right to discrimination as to goods, merchandise; that is, giving to things protective rights that are denied to persons, and holding contracts inviolate as to goods and not so as to persons; a most outrageous, not to say infamous dictum, which is not intended to comprehend white but colored persons. There is no provision in the Constitution of the United States to justify it.

In the case in point, at Hopkinsville, the jury took only fifteen minutes to decide that the railroad was guilty of failure to furnish proper accommodation for colored persons and to assess it a fine of \$500, as reported in THE AGE last week. The moral effect of the verdict should be very great, as the Louisville and Nashville is one of the longest and most important railroads in the South, extending from Chicago to New Orleans and from the latter point to Pensacola, Florida. Its waiting rooms and accommodations for colored persons, are among the poorest, most inferior, and worst in the Southern States, and the conduct of its employees the most insolent.

The Hopkinsville *Saturday News*, and others, white and colored, deserve great credit for forcing the issue on the railroad in the State Courts. We can all appreciate the sentiments of Hon. D. P. Smith, Commonwealth Attorney of the Sixth Judicial District, as expressed in his letter to THE AGE of last week, as follows:

The principle involved in these prosecutions is whether or not a colored man shall be forced to receive a half a pound for the price of a pound, and whether a dollar in the hands of a black man is worth any less than a dollar in the hands of a white man. It is just as wrong to give a colored man inferior transportation for the maximum fare as it would be to give him half-valued merchandise for the top price.

I mean to push these prosecutions against all the railroads in my district until the evil is abated, without regard to whose ox is gored. If these cases are not sufficient, I will indict them again.

If all of the prosecuting officers of the Southern States were of like mind with Mr. Smith we should have a far better condition of affairs, not only in travel conditions but in every other direction, where the administration of the laws, whether just or unjust, touch the life of the people, all of the people, and should assure to all and each, the equal and exact measurement of Justice. But Mr. Smith is a very rare exception. It would be like hunting for a needle in a haystack to find another one like him in the Southern States. That is a very bad condition of affairs for the Southern States. It is symptomatic of great troubles to come in the future that are not written in the books; what States sow in the present they reap in the future; they can no more run away from their acts than individuals can. So much we know as to the law of spiritual reprisals; so much we know as facts of the history of nations and the biographies of men, great and small.

It is easy enough for the Nation and the wise men who rule its destinies to reason that the Nation is strong, like Samson, and, therefore, can do as it will in its relations to foreign nations or with its own people; but they do not carry the reasoning far enough if they stop at that, they should go on to the tragedy of Samson for his wrong doing and of his nation finally for doing similar wrongs against itself. It is good to have the strength of a giant, but it is not safe to use it as a brute, in utter disregard of the rights of others, whether they be individuals or nations; and when they do it as either they are held to account. By

whom? The foolish individual and the foolish nation may ask that, if they will, but no wise man would think of asking it. Where is the wise man?

It is the business of the colored people to invoke the law that they may secure the full measure of such treatment as is granted them in separate car laws, and in all other laws of separation that make unnatural, brutal and unusual distinctions between citizens. If they do not do so it will not be done. Injustice does not right itself, but rather grows fat and insolent upon what it feeds that is unjust, until it goes to pieces by reason of its own enlargement. Its head should be bruised wherever it is lifted up, or lifts itself up. The Louisville and Nashville Railroad should be made to understand that it is a public servant unto tribute and not a master of those it serves.

BEING READY.

ONE OF THE MOST ESSENTIAL THINGS to do is to make ready before firing a gun. Many great causes have been lost or at least its effectiveness has been impaired, because of the omission of some important detail. Recently the validity of the Oklahoma Jim Crow law came before the United States Supreme court for settlement; a majority joined in the opinion that the law proviso, permitting railroads to furnish sleeping, dining and, chair car accommodations only to the white race, was unconstitutional, but they did not so decree, because of imperfections in the petition on which the case reached the court. It had not been shown that any Afro-American had actually applied to the railroads for accommodation under the law or that the railroads had notified them that they would be refused certain accommodations. The majority through Justice Hughes, stated, however, that they could not agree with the Oklahoma Federal court that the proviso as to sleeping, dining and chair cars was constitutional. Judge Hughes said: "The reason is that there may not be enough persons of African decent seeking these accommodations to warrant the outlay in providing them. This argument with respect to the value of the traffic seems to be without merit. It makes the constitutional right depend upon the number of persons who may be discriminated against, where—as the essence of the constitutional right is that it is a personal one. Whether or not special facilities shall be provided, doubtless is conditioned upon there being a reasonable demand therefor, but if facilities are provided substantial equality of treatment of persons traveling under like conditions cannot be denied. It is the individual who is entitled to the equal protection of the laws, and if he is denied by a common carrier, acting in the matter under the authority of the state, facilities or conveniences in the course of his journey, under substantially the same conditions as furnished to another, he may properly complain that his substantial privileges have been invaded." This statement is clear and concise and there is little doubt that the Supreme court would grant the injunction had the petition not been faulty. Mistakes will happen as it is said, in the best regulated families. But in a matter so vital to millions of people it does seem that the document should have been prepared with infinite care and passed upon by experts in that particular line. While we have lost nothing we might have gained a great deal if we had made ready and built our forts impregnable. Experience is a good though dear teacher and we have learned a lesson that will profit us much.

THE EVILS AND INJUSTICE OF "JIM CROW" CARS

By Mrs. L. H. Hammond

From her recent Book, "In Black and White"

Last of all in this connection, yet in their practical prevention of good feeling between the races not least, are the annoyances, discomforts and hardships laid upon the better class of Negroes by our failure to see under their black skins a humanity as dear to justice and to God as our own. There are many points for illustration; but one will suffice here—the matter of "Jim Crow" cars.

We who believe that the races should be kept racially, and therefore socially, distinct cannot advocate their mingling in the enforced intimacy of Pullman cars. It is enough for us to put up with ourselves under such conditions—and sometimes almost too much. But that does not at all excuse the travelling conditions which are forced upon Negroes of education and refinement (I use the word advisedly), throughout the South. They pay for a straight railroad ticket exactly what we pay, and we force them to habitually accept in return accommodations we would despise one of our own people for putting up with. And we say the Negroes are dirty! Miraculously, some of them are not, notwithstanding all the provisions we make for confirming them in that condition.

Last year a young Negro girl came to the school of which my husband is the president—a school, by the way, founded, maintained and officered by Southern whites; and after she had been there some time she confided to one of her white teachers the fact that when she came to the city she had ridden in "the white folks' car."

"Were you with white people?" she was asked.

No, she was not. She had paid her full fare, as usual, and had taken her place in the "Jim Crow" car, filthy with tobacco juice and incrusted dirt, foul with smoke both new and old, and containing a number of Negro men of the baser sort—the kind of car, in short, in which Negro women and girls, and clean, educated, well-to-do Negro men are so frequently expected to travel. There were no women that day, and only these rough men; and they began to molest the girl almost at once. Shrinking back in her seat in terror, she felt a sudden hope as the white brakeman came through the car; but he passed through, as unheeding as though dogs were squabbling over a bone. She stood it a few minutes longer, and then dashed frantically into the next car, the white day coach, dropped into the last seat, and burst into

tears. Thus the conductor found her. On hearing her story he told her to stay where she was; that if any of the white people in the car objected he would explain her presence, and they would be willing for her to stay. No one objected, however, and she rode to her destination in peace.

Not all conductors are so humane. And it is practically impossible, as may be seen at a glance, for one white man, often a mere boy, to keep order among a car full of Negroes like that, roused to evil by the presence of a girl evidently above their own social class. A white boy-conductor would be risking his life in such a case; and even if he saved it, if he started any "race row" on a railroad train by defending one Negro from another he would lose his job. So most of them harden their hearts and turn their eyes the other way—a performance for which I, for one, am slow to blame them. We have no right, as a people, habitually to permit impossible situations, and then to throw the responsibility for them on one man's, or one boy's shoulders.

Last Christmas a colored kindergartner, employed by some Southern white women in settlement work among her own people, went home for the holidays. There are several day trains, but some important home happening made her presence there necessary the morning after her work closed at the settlement; so she took the night train, a thing she had never done before. The young woman is a college graduate, refined in speech and manner, modest and sensible in her relations with people of both races, and a strong and wholesome force in the lives of the poorer Negroes among whom she works. She took the Jim Crow car, of course, expecting to sit up all night, but with no idea of the experiences before her. The car was full of half-drunken Negro men off to enjoy one of the very few pleasures open to Negroes in the South—a regular old Christmas spree. There were one or two other women in the car, and they huddled together and endured the night in frightened silence. The train men, passing through, took no notice of the insults, or oaths, or vile talk.

When she told the white women who had employed her about it, ten days later, she trembled as she spoke.

"I had never seen Negroes like that in my life," she said. "I knew there were such men; but my mother had spent her life keeping me

away from them; why can't the white people see it?" she burst out passionately. "Will they think forever that we are all like that? Why can't they let us be decent when we want to be?"

While my husband was Secretary of Education of the Southern Methodist Church, part of his work was to lay the matter of Negro education on the conscience of his denomination. One of the teachers at our one school for Negroes was a colored man of unusual gifts and character, an honor graduate of a Northern university, and a man high in the respect and friendship of Southern whites in many states. To bring "the Negro question" closer home to our people the Methodist Board of Education paid this man's salary and travelling expenses; and for four years the white man and the black one travelled the rounds of our Annual Conferences, presenting the cause of the Negro to our white preachers and laymen, and finding, as time went on, much prejudice giving way to sympathy.

The conference meetings are nearly all crowded into three months, several being held each week. When a secretary attends them his days are given to the conferences, his nights to travel, and it is a time of physical strain, even with all the comforts of modern travel. My husband, strong as he is, came home tired out at the end of each annual round.

"How Gilbert stands it, physically or religiously, I cannot see," he said. "He goes half the time without lying down to sleep. If I were not with him, to dash into some white restaurant and buy him a cup of coffee and something to eat, he would often go hungry. And I have never once heard him complain, or seen his Christian composure ruffled. He is doing us white people a great service, freeing us from some of our worst prejudices; and we require him to do it at this cost."

I know a Negro woman, the wife of a doctor, whom white doctors of the city tell me they respect both as a man and as a physician. He has a large charity practice, but a large paying one also. He is a man of considerable means, and owns an automobile. His home is thoroughly comfortable; and his wife is as amply provided for as the wife of a white man in similar circumstances would be. She is a refined, sensible, good woman, whose influence among her own people is of the best.

She told me not long ago that she went on a visit which necessitated a day in the usual Jim Crow car. I had asked her about the matter or she would not have mentioned it. We do not suspect the reserves of pride in Negroes of this class; and I count it a chief proof that my life among them is not a failure that they will speak to me frankly,

as to a friend.

There had been no insult or terror in her case; simply filth, tobacco juice and smoke, coarse talk among other Negroes, and blinding, choking dust. When she reached her destination, she said, no one could have told the color or texture of her dress or hat.

Somehow the hat gripped my sympathies. Women do so cherish their hats! I am never happy myself until the porter brings me a bag, and my head-gear is safe beyond reach of dust, with a hatpin thrust through the gathered opening of the bag into the back of the opposite seat, to keep its precious contents from being waggled about. I can wash my hair; but a soot-filled hat is irretrievable; it can never look impeccable again.

Why should this other woman, who loves cleanliness as much as I do, and who is quite as willing to pay for it, be forced to travel in that disgusting filth? I know if I were forced to do it my husband and my children and all my friends would feel outraged about it, and would never have any use for the people who made me do it. Why should these people feel differently? It is nearly always the smaller matters of life which make its bitterness or its sweetness for us white people. We can bear great things greatly, often; but our courage and kindness and sympathies fail before the annoyances of life. Shall we expect more of Negroes than of ourselves?

A Southern state, a few years ago, required the railroads to provide equal accommodations for whites and Negroes in that state. They replied by a threat to take off Pullmans for white people, as they could only be operated at a loss for Negroes; and the matter was dropped.

But day-coach accommodations are rarely equal. Even where the cars were originally alike, the habitual neglect of those in use for Negroes soon reduces them to a condition revolting to people of cleanly habits. The fact that many Negroes are unclean in their habits is no excuse for the condition of the cars. When white people are unclean, as they often are, the railroad is not excused from keeping the cars in a fairly decent condition, at worst. They may have to spend a little more for soap and water; but they must take their chances on that when they sell tickets.

The Jim Crow cars come under no one general description. I have occasionally seen a car for Negroes as clean as any day coach for whites. Similarly, I have known personally of Negroes riding through Southern states all day and all night in a Pullman section, their presence known to all the white passengers, none of whom voiced any objection to them. But neither occurrence is the rule.

Sometimes there is a clean day coach for Negroes, and also a separate place for Negro men to smoke—usually a cut-off end of the smoking-car for whites. This is the best accommodation on the best roads. Sometimes this half of a smoking car, with its single toilet, is the only part of the train open to Negroes at all. Sometimes there is no place for Negroes except in the car with white smokers, though this again is unusual. The average conditions, undoubtedly, are far below those provided for white passengers paying the same price; and the spirit manifested by this treatment of Negroes is one people of any race or any class have the right to resent.

If whole Pullman cars cannot be profitably provided, one end of a first class day coach could be fitted up as a Pullman, and put in charge of the men on the white people's Pullman; and the other part of the car could give the Negroes what they now so often lack—day-coach accommodations equal to those for whites.

I believe the railroad people themselves have little idea of the number of Negroes who could and would pay for first-class accommodations. We know little about the educated, prosperous members of the race. As fast as they enter this class they withdraw into a world of their own—a world which lies all about us white folks, yet of whose existence we are scarcely aware. It is largely the inefficient, the failures, or the immature and untrained who remain with us. As they rise out of this class they disappear from our view. There are more prosperous Negroes who would pay for Pullmans than we imagine.

But if the railroads claim that they really cannot provide decent day coaches and comfortable sleeping accommodations for Negroes, a commission should be appointed to look into the matter; and if their contention proved just, fares for everybody should be raised by law to a point which would allow the roads to maintain standards of comfort and decency for all their passengers. We cannot afford, as a people, to let the Negroes pay for our cheap fares; for that is just what it amounts to when the railroad takes the same amount of money from both of us, and gives us better accommodations than it can afford to give them. We are not paying for all we get in our day coaches, evidently; and if the Negro isn't footing the bill for the deficit, who is? As for the Pullman Company, if half the published tales of its dividends be true, it could furnish cars for Negroes and pay its employees a living wage, and yet be in no danger of bankruptcy. Public utilities should be subject to public control.

It should be pointed out that not one of

the Negroes whose cases I have cited, nor any Negro I ever spoke to on the subject, had any desire to share cars with white people. They have their pride, too; and they are not going where they are not wanted. They want safety, cleanliness and comfort, not white company; and they are willing and ready to pay for them.

"RAILROADS AND THE PUBLIC"

The *Courier Journal* of Louisville, Ky., not long ago ~~had a significant~~ ^{had a significant} editorial under the heading ~~heading~~ basing this editorial expression upon a circular letter ~~issued~~ ^{issued} by ~~to~~ ^{to} Fairfax Harrison of the ~~the~~ ^{the} Southern Railroad to the employees of that railroad, impressing upon them the desirability of being courteous in dealing with the public. Mr. Harrison goes on record as saying that "he serves the railroad best who serves the public best." Continuing, the president says: "The station agent should remember that he is not the Southern Railroad Company" and that he should at all times remember that the railroad is depending upon the public for patronage and that he as the station agent is not the "whole works." The *Courier Journal* calls attention to the fact that many conductors and station agents and other railway sub-officials act as if the public were the vassals of railroads and instead of being courteous to the public, they carry a grouch. There is a profane statement which hardly should be thought of, but is nevertheless irresistible at this moment, that is often used which expresses the attitude of these officials toward the public.

If this imposition upon the public is of such nature as to concern the white traveling public, what shall we say of the discourtesies that are endured by the colored patrons from the railroad station agents and conductors. The railroads would do well to look into this situation and instruct their employees to treat all patrons courteously and to specifically urge the courteous treatment of colored patrons, for we are sufferers of gross insults from these employees, insolent indifference, and at times delays in selling tickets which is an occasion of no little annoyance. On a certain road in the South, recently, the name of the road and detail of the particulars we withhold because the case is being referred to proper authorities, a conductor actually cursed a Negro passenger for holding a mileage ticket. This is but one instance, it is true, but it is a sample of the many, insults that are heaped upon the Negro.

The Negro is not over-sensitive, but must learn to take and give as other people do, but after due allowance has been made, it is nevertheless true, that he is the victim of many insults at the hands of station agents and conductors in the South.

AN APPEAL ADOPTED BY COLORED CITIZENS OF NEW ORLEANS ON RAILROAD DAY—JUNE 7

IT IS a matter of no small significance that the Negroes of the country, under the leadership of the true and tried apostle of peace, Booker T. Washington, are gathered together to-day in their home towns and cities to invite national and local consideration of the public humiliation and injustice forced upon the race by the prevailing methods of operating the separate car laws.

These laws were enacted to secure a separation of the races in public conveyances. They provide for separate but equal accommodations for both races. This is true only in theory. In practice they exclude the Negro from accommodations in restaurants controlled by railroads, give to him poorly kept waiting rooms, and worst of all second class accommodations on cars for first class fare.

Let no one mistake the Negro's motive in entering this protest. He is not pleading for the repeal of the separate car laws, but for an honest enforcement of them. He is asking that the public take note of the fact that a dollar in the Negro's hand is depreciated in value when he spends it with a railroad company. The same public sentiment which says to common carriers that they must provide separate cars for white and colored passengers should demand that a dollar will buy as much comfort in one case as it will in the other.

As a rule, the Negro can only ride in the day coaches. Few roads give him a whole coach. In most cases he occupies one end of a coach with one toilet for men and women and no smoker for men. The conductor and other members of the train crew usually occupy two seats in this crowded car. It is a common sight to see a conductor order passengers out of their seats that he may have a double seat on which to count his tickets, etc. But that is not the worst of it. This conductor, whose business it is to protect the patrons of the road is the first to light his pipe or cigar and fill the car with curling smoke. This is done in spite of the fact that the next car in the rear is a smoker for white men and is rarely ever crowded.

The coach given the Negroes is usually old and well worn. The very dangerous practice of placing a wooden coach between steel coaches is continued by many roads. The larger percentage of casualties among colored people in wrecks is often due to the weakness of the coaches in which they are at the time of the accident. An instance of this kind, according to report, happened in the fall of

1912 on the Mississippi Valley Railroad a few miles above New Orleans in the case of a tail-end collision. The Negroes in an old wooden car in the front part of the train suffered greater damage than the whites in the rear where the collision occurred.

The Negro end of the coach is not kept clean. During the month of April I boarded a train at Montgomery for New Orleans and found it littered with peanut shells, seats not dusted. This fact was reported to a railroad official standing near. He said it would be attended to, but it was not.

Often the filthy condition of trains and sitting rooms is due to negligence on the part of employees. It then becomes the duty of the passengers to report conditions to proper officials.

These conditions have been borne in patience. The Negroes have suffered and paid their sound money for the privilege. The time has come to complain, to protest, to speak out for fair play. More Negroes are traveling now and a larger number are traveling long distances. They are spending more money with railroads and are entitled to more consideration.

Think of a poor woman traveling a day and a night and often longer in a crowded, filthy coach, with no convenience to bathe her face, no place to buy a decent meal, forced to breathe tobacco smoke day and night! Certainly, there should be some relief. Some roads are providing better day coaches with smoker and two toilets. Others will do it, if a righteous public sentiment will demand it. With better railroad accommodations, the better element of the Negroes will pay for extra service and the railroads will profit by the change. A question has been raised in South Carolina which is of interest to the race. That is why should not the Pullman company be compelled to make provision for colored passengers? Is that company greater than the law, or has the law been so drawn as to exclude that company? Through the non-compliance of that company the Negroes are actually debarred from some of the best trains in the South—the so-called all vestibule trains. One company runs such a train out of New Orleans daily for New York. Suppose a Negro wanted to leave here on a hurried business trip. He could not leave on that train and would lose three or more hours on a slower train as a result. Is this not discrimination on account of race? If the Pullman company were forced to provide sepa-

rate but equal accommodations for the races, the Negro could get in his apartment and go about his business on equal terms with other men.

When it is remembered that the Negro is absolutely the only man subjected to these injustices and discriminations a charge of base ingratitude can be made justly against our fair country. The Turk, the Greek, the Russian, the Slav, the Japanese, the Chinaman, and every other foreigner can come here and enjoy the comforts of travel for which he is able to pay, but the Negro who has borne the burden in the heat of the day, who has toiled hard and long, cleared forests, dug ditches, raised crops, built railroads, is denied even the privilege of decent accommodation on a public conveyance. Does this square with American conscience? Is this in accord with an enlightened Christian social sentiment?

There was a time when a Negro was not expected to read a newspaper. That day has passed. He makes papers now and subscribes for hundreds of thousands of others. The time was when, if a Negro built a nice home, wore good clothes, or sent his children to school, it was said of him that he thought himself white. That time is no more. Today it is a question of being civilized, cultured, wealthy. These qualities are common to mankind. The Negro has shown that he is no exception. The lingering practice of forcing all Negroes to accept the meanest accommodations is a relic of a displaced civilization. The Negro race has developed its types and classes just as other races have. If this fact would be given public recognition, the self-respecting, progressive element would become a powerful lever, but a policy which looks to the humiliation of that element encourages the non-progressive, debased element in the thought that character in a Negro counts for naught.

The Negro is not without fault in this matter. His public manners or rather often lack of public manners makes him a very uncongenial fellow passenger. The Jim Crow car as it is now run seems to be especially designed to meet the needs of that noisy, ill-mannered class. Our object is to call attention to the fact that the standard of living of that element does not represent the best in the race, and that no community can afford to force all men of any class down to the level of its lowest type. Self-respect, character and worth must be considered.

That there is much carelessness and indif-

